

Please note: These transcripts are not individually reviewed and approved for accuracy.

COMMITTEE MEETING

JOE SERNA, JR., CAL/EPA BUILDING

1001 I STREET

2ND FLOOR

COASTAL HEARING ROOM

SACRAMENTO, CALIFORNIA

MONDAY, DECEMBER 8, 2008

10:00 P.M.

TIFFANY C. KRAFT, CSR, RPR
CERTIFIED SHORTHAND REPORTER
LICENSE NUMBER 12277

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

COMMITTEE MEMBERS

Ms. Rosalie Mulé, Chair

Ms. Margo Reid Brown

BOARD MEMBER ALSO PRESENT

Mr. John Laird

STAFF

Mr. Mark Leary, Executive Director

Ms. Rubia Packard, Assistant Director

Mr. Michael Bledsoe, Staff Counsel

Mr. Elliot Block, Staff Counsel

Mr. Gary Bird, City of Eureka

Mr. Michael Chen, Staff

Mr. Howard Levenson, Program Director

Ms. Cara Morgan, Division Chief, Local Assistance and
Market Development Division

Mr. Trevor O'Shaughnessy, Branch Manager, Jurisdiction &
Minimum Content Compliance Branch

Mr. Kyle Pogue, Staff

Ms. Lorraine Van Kekerix, Division Chief, Compliance
Evaluation and Enforcement Division

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES CONTINUED

ALSO PRESENT

Mr. Marty Allan, Mariposa County

Mr. Dale Bacigalupi, City of Firebaugh

Mr. Mathew Bullis, City of Madera

Ms. Leslie Daniel, Calaveras County

Mr. Clif Feldman, South Bayside Waste Management Authority

Mr. Ronald Frye, MSW Consulting

Mr. Michael Grossblatt, Mammoth Lakes

Mr. Steve Harriman, City of Rancho Cordova

Mr. Rod Manfredi, City of Kerman

Mr. Brian Moura, City of San Carlos

Mr. Mitch McFarland, City of Point Arena

Ms. Kristina Miller, Tehama County Landfill Management

Mr. Paul Morsen, Danville, Moraga, Orinda, Walnut Creek

Ms. Mandy Rose, City of San Benito

Mr. Tom Valentino, City of Portola

Mr. Mark White, Pacific Waste Consulting Group

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

INDEX

	PAGE
Roll Call And Declaration Of Quorum	1
Public Comment	
A. Program Directors' Report	3
B. Consideration Of The 2005/2006 Biennial Review Findings For The Source Reduction And Recycling Element; And Consideration Of Issuance Of A Compliance Order For The City Of Firebaugh, Fresno County - (Board Item 3)	14
C. Consideration Of The 2005/2006 Biennial Review Findings For The Source Reduction And Recycling Element, Household Hazardous Waste Element, And Approval Of Biomass Diversion Claims/Transformation Diversion Claims And/Or Construction And Demolition Waste Deduction Claims For The Following Jurisdictions (Good Faith Effort To Implement Programs): Calaveras County: Calaveras County Regional Agency; Contra Costa County: Clayton, Concord, Danville, Moraga, Orinda, Pleasant Hill, Walnut Creek; El Dorado County: South Lake Tahoe; Fresno County: Kerman, Mendota; Humboldt County: Eureka, Ferndale, Rio Dell; Kern County: California City; Kings: Kings Waste And Recycling Authority; Lake County: Lake Unincorporated; Los Angeles County: Bell Gardens, Lawndale, Malibu, Norwalk, Rolling Hills, San Gabriel; Madera County: Madera; Mariposa County: Mariposa-Unincorporated; Mendocino County: Mendocino Unincorporated, Point Arena, Willits; Modoc County: Modoc Unincorporated; Mono County: Mammoth Lakes; Orange County: Orange Unincorporated; Placer County: Loomis; Plumas County: Portola; Riverside County: Calimesa, Desert Hot Springs, Moreno Valley, Murrieta; Sacramento County: Rancho Cordova; San Benito County: San Benito County Integrated Waste Management Regional Agency; San Bernardino County: Grand Terrace, Highland, Needles, Redlands, San Bernardino Unincorporated; San Diego County: Lemon Grove, Vista; San Joaquin County: Manteca; San Mateo County: Half Moon Bay, San Bruno, San Carlos; Santa Barbara County: Guadalupe; Sierra County: Sierra County Regional Agency; Stanislaus	31

INDEX CONTINUED

PAGE

County: Modesto; Tehama County: Tehama County
Sanitary Landfill Regional Agency; Yolo County:
Woodland - (Board Item 6)

D.	Adjournment	110
E.	Reporter's Certificate	111

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

1 PROCEEDINGS

2 CHAIRPERSON MULÉ: Good morning, everyone.

3 Welcome to the December 8th Permitting and Compliance
4 Meeting.

5 And I just want to call your attention. The
6 Permitting and Compliance Committee meeting will be
7 meeting three days this week. We'll be meeting today. We
8 will also be meeting tomorrow morning at 10:00 a.m. here
9 in the Coastal Hearing Room. And then we will be meeting
10 this Thursday in Southern California in Diamond Bar
11 beginning at 10:00 a.m.

12 There are agendas on the back table. And if
13 anyone would like to speak to the Committee, please fill
14 out a speaker slip again in the back of the room. Bring
15 it up to Donnell, and you will have an opportunity to
16 address us.

17 Also I would like to ask everyone to either turn
18 off or put in the silent mode your cell phones, pagers, et
19 cetera.

20 And with that, we will call the roll, please.

21 EXECUTIVE ASSISTANT DUCLO: Brown?

22 BOARD MEMBER BROWN: Here.

23 EXECUTIVE ASSISTANT DUCLO: Chair Mulé?

24 CHAIRPERSON MULÉ: Here.

25 And before I go any further, I would like to

1 welcome John Laird, who is one of our newer appointees to
2 the Board.

3 Welcome. We are very excited to have you here.
4 And if you'd like to say a few words to the audience,
5 you're welcome to do so.

6 BOARD MEMBER LAIRD: All I would say is it's a
7 pleasure to be here. I look forward to working with the
8 Board. I know this is my first official meeting of any
9 piece of the Board. And so as with my 27 years in elected
10 office, I will probably learn to be quiet until I know
11 what I'm talking about. So glad you're all here today.

12 CHAIRPERSON MULÉ: Thank you very much. And we
13 really look forward to having you serve with us on the
14 Board.

15 Before I go any further, do we have any ex partes
16 or are you up to date?

17 BOARD MEMBER BROWN: I think we're be working on
18 a few letters we got. They're for items we'll hear
19 tomorrow.

20 CHAIRPERSON MULÉ: Yes.

21 And let's just move to Program Director's report.
22 Ted, did you have anything today, or are you going to wait
23 until tomorrow?

24 DEPUTY DIRECTOR RAUH: Madam Chair, I was going
25 wait until tomorrow for my normal report.

1 CHAIRPERSON MULÉ: That's fine.

2 Howard.

3 PROGRAM DIRECTOR LEVENSON: Thank you, Madam
4 Chair.

5 Howard Levenson, Director of the Sustainability
6 Program.

7 I just want to report we've already had a series
8 of very successful workshops on SB 1016 which will be our
9 new measurement system. We'll be talking a lot about
10 measurement today.

11 We do have a website that is live. It has the
12 legislation, a fact sheet, and a listing of all the
13 workshops that are coming up. We have several more.

14 We'll also be posting a frequently asked answers
15 and questions probably in the next week or so. So we hope
16 that that information will help jurisdictions as we
17 transition from the current system that we're talking
18 about today to the future.

19 And that's my report. Thank you.

20 CHAIRPERSON MULÉ: That's great.

21 And again, Howard and staff, I want to thank you
22 for all of your work on 1016.

23 Let's move into our agenda. We do have a lengthy
24 one today. So let's get to it.

25 PROGRAM DIRECTOR LEVENSON: Thank you. I want to

1 welcome Mr. Laird to the Committee and the Board meetings.
2 Also want to thank all the jurisdictions representatives
3 who have traveled up here to Sacramento.

4 As you know, we have a series of items today, on
5 Thursday, and obviously before the full Board next week
6 that concern jurisdiction performance.

7 And what I'd like to do before we get into the
8 individual items is talk a little bit, get a little
9 context, sort of a primer so everyone, our staff, the
10 jurisdictions, the Board all have the same reference point
11 for where these items fit into the overall system.

12 It's all about AB 939 and how jurisdictions are
13 performing in terms of meeting their mandate to implement
14 programs to divert 50 percent of their waste from
15 landfills.

16 What the Board does on these items in the next
17 couple days speaks directly to the core of this AB 939
18 diversion requirement. So I want to give you a primer.
19 We haven't done this kind of review in two years. So it's
20 really a reminder to all of us on how the system works.

21 First of all, to establish a reference point, AB
22 939 required each jurisdiction to submit an initial plan
23 about the programs that it was going to implement to
24 achieve the 939 goal. Then each jurisdiction has to
25 submit an annual report that provides updates on program

1 accomplishments during that previous year.

2 Now as everybody knows, every two years the Board
3 formally evaluates the progress of each jurisdiction
4 towards meeting its 50 percent goal and adequately
5 implementing the programs it choose and included in its
6 plan.

7 Because of all the time that's needed to garner
8 the reports, get all the adjustment factors that are used
9 to estimate the diversion rates, review programs, and then
10 go through our own internal processes to develop items, we
11 typically conduct this review about two years after the
12 fact. So today we're doing '05 and '06 review, yet it's
13 December of '08. And that's really one major reason why
14 the Board sponsored SB 1016 this legislative session, to
15 change the measurement system so that we can do a more
16 timely review and have more staff out in the field. And I
17 think folks are already starting to see that change take
18 place.

19 So the Board basically has three options that it
20 can take for each jurisdiction.

21 Clearly, it can find jurisdictions in compliance;
22 they've met their requirements to implement programs and
23 achieve their diversion requirement.

24 If a jurisdiction is under 50 percent in its
25 estimated diversion rate but it's demonstrated full

1 efforts to implement programs to achieve the diversion
2 goal, then we can determine that it's made a good faith
3 effort. And that reflects the Board's performance-based
4 approach to 939 and to programs in general.

5 And then the third option of course is to find
6 the jurisdiction is out of compliance and not implementing
7 its programs adequately.

8 So I'd like to tell you how we go about
9 conducting this review. I think it's important for
10 everyone to understand what goes into this, because you're
11 only seeing kind of the tip of the iceberg today, the
12 final results.

13 We go through a very extensive process to
14 evaluate jurisdictions and make a recommendation. That's
15 true for all the jurisdictions, over 400 jurisdictions.
16 Although we provide more review for those that are below
17 the borderline of meeting the 50 percent requirement.

18 Our review is based on all the statutory
19 criteria. We have a very detailed enforcement policy that
20 the Board adopted in 2001 that specifies the kinds of
21 things we look for. And then we also take into account
22 Board directives and policies, such as the Board's
23 emphasis in recent years on construction and demolition
24 debris programs or on local procurement purchasing
25 programs. And then we have a high level of scrutiny by

1 all levels of management on this review.

2 Now for those jurisdictions that have an
3 estimated diversion rate of over 50 percent, we still
4 assess their annual report. And we use information from
5 previous site visits and ongoing discussions to make a
6 recommendation for in those cases compliance. Unless we
7 spot something that's amiss, we recommend those for
8 compliance.

9 Under the Board's governance policies that have
10 been adopted in the last couple of years, the authority to
11 make that determination has been delegated to the
12 executive director. So all 340 jurisdictions this year
13 that were over 50 percent and that we deemed had
14 implemented their programs are recommended for compliance.
15 And that's been delegated to the executive director and
16 those have been transmitted to him for his signature.

17 I think that that total, that 340 jurisdictions,
18 that's testimony to the success of 939 and the efforts of
19 all the folks both in this room who might be listening in
20 and who are not here today. There's a lot of investment
21 and time and energy that's been made in programs, facility
22 development. And we have I think at this point had a
23 great success overall and certainly for those
24 jurisdictions.

25 Now if the jurisdiction has a rate that's under

1 50 percent, then we conduct an even more thorough and
2 comprehensive evaluation that includes new site visits and
3 analyses. There were 61 jurisdictions that fell into that
4 category this year. There was another 12 that are already
5 on a Board compliance order of some sort and so those
6 aren't subject to any review this year. They already have
7 their own established time lines.

8 All 61 of the jurisdiction have been asked to be
9 here today to answer questions or provide any testimony
10 they wish. What we do is staff under Cara's division, the
11 Local Assistance Market Development staff, conduct a site
12 visit to evaluate the jurisdiction's waste stream,
13 evaluate the various programs and see if there are any
14 gaps that exist. We call this a needs assessment.

15 We use a number of detailed guidance documents
16 that are available on the web. Besides the criteria --
17 the enforcement policy I mentioned before, we have an
18 extensive database that has all the information from the
19 prior annual reports. We have a series of questions
20 that's linked to that. We have tips that staff use. We
21 have various check lists, a whole suite of documents that
22 staff has available to them that are shared with the
23 jurisdictions so they all know what we're looking for.

24 We meet with jurisdiction representatives and the
25 haulers. We go and do dumpster dives, check residential

1 cans to see if there's contamination. We look at the
2 procurement programs, C&D programs, you name it. We try
3 to get as much information as we can.

4 So based on those site visits and all the
5 documentation that the jurisdictions provided, staff makes
6 an initial recommendation. And they compile that into
7 what we call a biennial review template. It's a much
8 larger version of the individual summaries that you have
9 in Attachment 6 today.

10 Then partly because we have so many new staff
11 either truly new staff or ones that have gotten new
12 assignments in the last year and a half, and also just
13 because we need to ensure consistency among the reviews,
14 we created a special management team to review the LAMD,
15 Local Assistance Market Development, staff
16 recommendations. We call that our good faith effort
17 tribunal. They're going to come up. And it was not too
18 bad. Staff may think differently. They may think, what
19 were these guys calling us up for?

20 But I do want to -- we'll introduce them when
21 they come up as part of Item 6. But it did consist of
22 myself, legal office, Tamar to my left, Cara, and a number
23 of other LAMD staff. And I'll introduce them later on.

24 But anyhow, the tribunal reviewed each draft
25 biennial review write-up for each jurisdiction. They met

1 with staff. And we did that over a time period of about
2 four months. So we often would ask the staff to go back
3 and conduct another site visit. They might have to come
4 back and report to us if it was a very extensive question
5 or perhaps just go back and forth by e-mail. There was a
6 lot of work that went on behind the scenes for that
7 four-month period in order for us to feel comfortable with
8 the staff recommendation for a good faith effort
9 determination.

10 So of the 61 jurisdictions that were under
11 50 percent and got this additional level of scrutiny,
12 we're recommending 55 of them for good faith effort.
13 That's the subject of Item 6.

14 Now there were a few others where we believe that
15 a Compliance Order, where the Local Assistance and Market
16 Development staff under Cara's shop, believed a Compliance
17 Order might be warranted.

18 Now, last year, we underwent a reorganization.
19 And one of the underlying tenants of the reorganization
20 as was put forth by our Executive Director was to have an
21 independent enforcement unit. So we no longer had the
22 same people providing assistance and enforcement.

23 So in those cases where our Assistance staff felt
24 there was a compliance issue, we transferred those cases
25 to Ted's shop, particularly the Jurisdiction Compliance

1 and Audit Section, which is headed by Trevor
2 O'Shaughnessy, somewhere over there on my right, and under
3 Lorraine's direction. And of course they report to Ted
4 Rauh.

5 For those jurisdictions, statute requires a
6 conferring period. And during that time, the jurisdiction
7 compliance and audit section went out on their own and
8 reviewed the jurisdiction, site visits, performance
9 review, program review. And Ted and those folks will talk
10 more about that as we get into the individual items.

11 Three of those Compliance Order items are before
12 the Board this month. Those are items three through five.
13 Another three are likely -- two or three are likely to
14 come to you in January or February just depending on when
15 we can get those done.

16 Just to show you how this process also works
17 sometimes to the benefit of the jurisdiction, there were
18 two cases where we referred to Jurisdiction Compliance
19 Audit Section for further investigation. During that
20 conferring period when they went out and conducted their
21 independent review, they determined that the programs in
22 question had actually been implemented. Made perhaps
23 fairly recently, but never the less they were implemented.
24 So in those cases, they took them back to us and said we
25 believe these now warrant good faith effort consideration.

1 There are two of those cases. One was Kerman in
2 Fresno County and the other is Madera. To ensure that
3 those two do not drop the ball on implementation, our
4 Jurisdiction Compliance and Audit Section will conduct
5 random audits of those jurisdictions during 2009 and
6 onward.

7 I think that's really it for a primer. Ted will
8 speak more about the compliance items. But I want to make
9 two final points. This I think entire process serves a
10 much broader purpose. Yes, it is about performance review
11 or biennial review process. But with the reorganization
12 and our new staff and with the passage of SB 1016, our
13 orientation is shifting to being more out in the field,
14 providing more assistance, and really focusing more on
15 program implementation. That's been the practice of the
16 Board for years. It's now codified in statute that
17 becomes effective next month. But that's certainly been
18 our orientation and Mark's philosophy in shaping the reorg
19 last year.

20 I think the review process has allowed a lot of
21 our staff to come up to speed more quickly. They've
22 established working relationships with many of the
23 jurisdictions. They've been out in the field. So if
24 anything, this has just pushed us further into the new
25 world of SB 1016.

1 So I'll close. There's a lot of people who
2 deserve thanks. Certainly all the jurisdictions who
3 you'll see today. I do want to thank a few people in
4 particular.

5 Cara Morgan, to my left. Without her, I would be
6 sunk. There's just no way to get this done.

7 Jennifer Caldwell has shepherded the entire
8 review item process.

9 Leticia Gallegos has spent numerous hours trying
10 to get this item into shape into BAWDs, and it is a
11 monster to do.

12 And then we have our tribunal, which is Steve
13 Uselton. Steve will be at the Committee meeting on
14 Thursday, because he's got the southern jurisdictions,
15 Kyle Pogue, Steve SoRelle. And they'll come up later.

16 And then on our compliance shop, obviously Trevor
17 and Lorraine have done a lot of work to try to get the
18 independent reviews done.

19 And then of course Tamar Dyson from the legal
20 office.

21 And as always, Elliot Block.

22 So I want to thank them. There's a lot of
23 individual staff.

24 Elliot is a little under the weather, but he's
25 been our support and our foundation for a lot of this.

1 There's a lot of individual staff who you'll see.

2 And I want to thank them. They're too numerous to
3 mention. But they've done a great job in getting this
4 material ready. That's from both shops, the
5 Sustainability and the Waste Compliance and Mitigation
6 Program.

7 So I think unless there are any questions about
8 that overview, we'll turn now to Ted and go through Items
9 3 through 5, and then I'll take it back for Item 6.

10 DEPUTY DIRECTOR RAUH: We'll go through Item 3 or
11 Committee Item B today. Thank you, Howard. And I am Ted
12 Rauh with the Waste Compliance and Mitigation Program.

13 And also want to welcome you, Member Laird.
14 Thank you very much for having an opportunity to meet you
15 earlier last week, and we certainly look forward to
16 working with you as we move forward.

17 As Howard indicated in his overview, the new
18 organization provides the compliance responsibility in the
19 Waste Compliance and Mitigation Program. Specifically, as
20 Howard indicated, when a jurisdiction is turned over to
21 us, we actually carry out a complete independent review of
22 that jurisdiction's compliance in accordance with the
23 Board's approved policy for compliance in this area. And
24 that includes a very detailed field investigation in which
25 we're actually monitoring and tracking disposal routes.

1 We go out and visit individual sites. We're looking at
2 how the recycling is conducted. And the receptivity of
3 both commercial and residential sectors and what kind of
4 communication is going out to those sectors to also comply
5 with the program. So it's a very comprehensive review.

6 And as a result of that, as Howard mentioned, we
7 found several jurisdictions who have moved forward with
8 programs and won't necessarily be before you today for a
9 Compliance Order. However, in the case of this item, we
10 did find the City of Firebaugh does need to receive we
11 believe a Compliance Order. And basically that's the item
12 before you today.

13 Here with me, as Howard mentioned, are several
14 key representatives of Waste Compliance and Mitigation
15 Program. To my left, Lorraine Van Kekerix, who is the
16 Division Director of that division. And to her right,
17 Michael Chen, who will present the actual item; Trevor
18 O'Shaughnessy who is the Branch Manager, and then to the
19 far right is Frank Simpson who managed the actual
20 Evaluation Section.

21 With that, what I'd like to do is turn this over
22 to have the item formally presented. If you'd take it
23 away, please.

24 MR. CHEN: Good morning, Madam Chair, and Board
25 members. My name is Michael Chen of the Jurisdiction

1 Compliance and Audit Section.

2 Board staff is bringing forward its 2005-2006
3 biennial review findings that the City of Firebaugh in
4 Fresno County has failed to adequately implement its
5 diversion programs.

6 This is how staff conducted its review. Staff
7 reviewed the City's 2005 and 2006 program implementation
8 and diversion rates using available information from the
9 city's annual reports, waste hauler tonnage reports, solid
10 waste disposal activities reports, and Board databases.

11 Staff also gathered information about the City's
12 past and current diversion efforts through on-site
13 observations, consultations, telephone calls,
14 correspondence, and visits with City staff, the City's
15 franchise hauler, and the City's primary waste handling
16 facility.

17 In addition, Board staff asked for and reviewed
18 all available 2007 data and reports thereby establishing
19 trends of program implementation.

20 Based on staff's complete analysis, staff has
21 determined that the City has failed to adequately
22 implement its diversion programs.

23 In determining compliance with the waste
24 diversion mandates, statute directs the Board to consider
25 both a jurisdiction's efforts to implement its programs

1 selected in its source reduction and recycling element and
2 the jurisdiction's achievement of the diversion rate.

3 The City's residential and commercial diversion
4 programs are deficient. It is essential that the City's
5 residential and commercial programs be robust, because the
6 city's residential sector generates 37 percent of the
7 city's waste stream. And the city's commercial sector
8 generates 63 percent of the city's waste stream.

9 Pages four and five of the agenda item provide
10 details of the deficiencies that Board staff observed.

11 Additionally, Attachment 1, a photo report,
12 visually documents deficiencies in the city's residential
13 diversion efforts.

14 The City's diversion programs are not providing
15 sufficient reductions in the disposal to enable the City
16 to achieve the diversion requirements of Public Resources
17 Code Section 41780. Diversion rates are an indicator of
18 diversion program effectiveness. The City's 2005 and 2006
19 diversion rates are 58 percent and 38 percent
20 respectively.

21 Board staff recommends the issuance of a
22 Compliance Order that will require the City to work
23 directly with Board staff to develop a Local
24 Implementation Plan. This Local Implementation Plan will
25 identify a strategy for program enhancements and local

1 actions necessary to enable the City to achieve the
2 diversion requirements.

3 Representatives from the City are present to make
4 a presentation and to answer any questions. This
5 concludes my presentation. Staff is available to answer
6 any questions you may have. Thank you.

7 CHAIRPERSON MULÉ: Thank you, Michael.

8 Before we take any questions from the Committee
9 or members, we have two speakers on this item. So I'd
10 like to call them up. Dale Bacigalupi.

11 MR. BACIGALUPI: Good morning, members of the
12 Committee. And thank you for pronouncing my name
13 perfectly. That's got to be a first in my lifetime.

14 CHAIRPERSON MULÉ: I'm Italian.

15 MR. BACIGALUPI: I'm Dale Bacigalupi, the city
16 attorney for the City of Firebaugh, a post I've held for
17 25 years. And it's my pleasure to be here today with you
18 my first time speaking and hopefully my last.

19 We are here to bring to the attention of the
20 Committee some new information that is not contained in
21 the staff report.

22 I'll be brief. Mr. Ron Frye, who is the city's
23 consultant on solid waste issues, also has a few comments
24 to make. I know we have about ten minutes to split
25 between us, and so we'll do our best to stay within those

1 time guidelines.

2 The City's solid waste hauler for most of the
3 time that I've been associated with the City is a company
4 by the name of Firebaugh Disposal, a family-owned company
5 in the town population about 8,000. And there are some
6 new things that have happened that impact both the
7 findings of your staff report and what the future holds
8 for Firebaugh that we wish to bring to your attention, all
9 of which will lead to a request that we are here to make
10 to you today, which is that you consider a different
11 option which is a 120-day extension of the decision that's
12 in front of you. And here's why we're making that
13 request.

14 We learned last week that Firebaugh Disposal is
15 going out of business. Financial troubles we understand
16 are at the root of it. We don't know all the details.
17 But suffice it to say the city council this month will be
18 approving -- will be asked to approve a contract with
19 another hauler. That hauler, the name of which I'm not
20 able to disclose at this time because we're in
21 negotiations with them today as we speak, is a reputable
22 hauler that provides similar services to other small
23 communities in and around the Fresno and Madera area.

24 On the next city council agenda will be a
25 contract with the new hauler to replace Firebaugh

1 Disposal. That's one fact that is quite important to you
2 and to us. And we believe that many of the reasons that
3 have led to the noncompliance will be immediately solved
4 with the new hauler. Many of the photos that you've seen
5 in your staff report, dumpster diving photos and some that
6 are pretty graphic and are all accurate, will simply cease
7 to exist once we have the new hauler for three reasons.

8 Number one, the council has recently approved a
9 rate increase. This happened just last month. The
10 purpose of which is to provide a stream of revenue to
11 enable the hauler to buy three nice new cans for every
12 resident in town. The three-can system with colored cans
13 that you've seen in larger jurisdictions will by virtue of
14 this contract amendment that has been approved with the
15 existing hauler and the rate increase before March of next
16 year will provide every resident and commercial entity in
17 the city with three nice color coded cans. That alone we
18 think will solve many of the problems that you've seen in
19 the reports and in the photos.

20 More importantly, because the new hauler, which
21 will begin working for the City as of January 1, will not
22 use the kind of mixing of waste that you've seen in the
23 photos on a concrete floor. That's going to be a matter
24 of history. And so there are quite a few things changing
25 at Firebaugh. And the City obviously takes responsibility

1 for the problems identified in the staff report.

2 But because the entire services contracted out to
3 a hauler that will no longer be in business in three weeks
4 and the City will be under contract with a new hauler in
5 three weeks, we think that it's best and our proposal to
6 this Committee is a request therefore that you consider a
7 120-day extension for Compliance Order. Nobody likes a
8 Compliance Order. My client certainly does not and looks
9 to correct all the problems that you've seen. And we
10 think we can with the new hauler if we're given a chance.

11 Mr. Frye will have a few more details to present
12 to you momentarily. That's really the substance of my
13 presentation to you that there are some new things that
14 occurred that I mentioned.

15 And before I cede the mike to Mr. Frye, any
16 questions from the members of the Committee or the staff?

17 CHAIRPERSON MULÉ: Not at this time. Thank you
18 for being here.

19 Ronald Frye.

20 MR. FRYE: Good morning to the Committee. My
21 name is Ron Frye. I represent MSW Consulting. Stands for
22 Madera Solid Waste Consulting. The professionals out in
23 the audience might understand the MSW kick in it.

24 We are asking for a continuation of 120 days, and
25 we do not believe that the City caused this problem. We

1 think the County of Fresno contributed materially to this
2 problem.

3 One of the problems is that the County awarded a
4 contract to collect solid waste outside the city. They
5 awarded it to our waste hauler. And it includes the I-5
6 corridor, which is 25 miles from the city and 35 miles in
7 length. But every single property has a Firebaugh
8 address. And guess what? It all goes to the landfill
9 under the city of Firebaugh.

10 There is another community called East Las Palos.
11 It's 20 miles from us. It's quite a large subdivision.
12 That all goes to the landfill under the City of Firebaugh.

13 And there is another community on the north side
14 of the San Joaquin River called North Firebaugh. But it's
15 in Madera County. But the solid waste hauler picks that
16 up and also hauls it to the landfill.

17 One reason we're asking for a continuance is very
18 shortly we're going to be doing AB 939 report for you for
19 2007. And then in August, we're going to be doing 2008
20 for you. And we think that it's going to show
21 considerable improvement way above 50 percent. We've been
22 above 50 percent for that one year, and that was the year
23 that the County of Fresno utilized our hauler to collect
24 solid waste outside of the city.

25 Those are our major points. And I'll be glad to

1 answer any questions you may have.

2 CHAIRPERSON MULÉ: Thank you.

3 Questions?

4 BOARD MEMBER BROWN: When did you say the City of
5 Fresno made this change?

6 MR. FRYE: The County of Fresno. And they did
7 that in 2006. And that's the year we're having a
8 disagreement about.

9 BOARD MEMBER BROWN: So they didn't take any to
10 this sorting facility that Firebaugh utilized to take the
11 residents of your community?

12 We have the pictures, and we have the practices
13 that were happening of your residents. And I'm curious as
14 to why they wouldn't have taken that material as well to
15 the same facility and sorted it and just not done a very
16 good job before they took it directly to the landfill.
17 Because it sounds like what you're inferring is that they
18 didn't even take it to their facility. It went directly
19 to the landfill for the I-5 corridor, for the north
20 Firebaugh area, and all of that. Are you inferring they
21 didn't even take it to the sorting facility?

22 MR. FRYE: They never even weighed it. And they
23 just hauled it to the landfill and they charged it to the
24 City of Firebaugh.

25 BOARD MEMBER BROWN: So the recordkeeping is

1 completely inaccurate, being attributed to the wrong
2 jurisdiction?

3 MR. FRYE: That's our position.

4 CHAIRPERSON MULÉ: Trevor.

5 BRANCH MANAGER O'SHAUGHNESSY: If I may very
6 briefly.

7 Staff has made aware of a potential
8 misallocation. And working with the City of Firebaugh and
9 the available information, we weren't able to confirm nor
10 could we deny there is a misallocation. But there's
11 nothing that clearly comes to the surface that says there
12 was a misallocation issue.

13 BOARD MEMBER BROWN: It seems a little confusing.

14 BRANCH MANAGER O'SHAUGHNESSY: It can be. You
15 know, haulers can pick up in different jurisdictions. And
16 if THEY'RE going across the scale and half of it's from
17 Firebaugh and another half is from a community, they might
18 just say it's Firebaugh Disposal. When that happens, if
19 it's a good hauler, at times they'll reverse it the next
20 time they go through. But they're trying to remember
21 which one you said the previous time.

22 So there can be potential misallocations. But
23 that's one reason why staff does not focus on a number.
24 We're focusing on the program and the overall effort.

25 BOARD MEMBER BROWN: Exactly. And with all due

1 respect, I see the numbers have gone from 58 percent to 38
2 percent, which is troubling in and of itself. But once
3 you start looking at the investigative material, how this
4 hauler was taking material, not taking material, not even
5 sorting, I mean, and mixing it, really there is a
6 fundamental problem.

7 And I'd be curious as to staff's position on
8 this. But I don't see that a 20-day extension necessarily
9 for a new contract takes the responsibility away from the
10 City of Firebaugh to look at the programs they're
11 implementing. Because it is a contract that you had with
12 your hauler. And, you know, this is negligence on the
13 City to allow this to happen.

14 And I would be supportive of a Compliance Order
15 going forward even with a new contracted hauler, because I
16 think we need to ensure that the programs are being
17 implemented.

18 CHAIRPERSON MULÉ: Lorraine.

19 DEPUTY DIRECTOR VAN KEKERIX: I'd like to add
20 something on the allocation issue. Staff is very willing
21 to review whatever documentation we have of allocation
22 issues.

23 If the Board chose to go forward with a
24 Compliance Order, we would be happy to work with the city
25 to look further at the allocation issue. But we do need

1 documentation to review to know whether there is truly an
2 issue or not.

3 BOARD MEMBER BROWN: And the staff did request
4 information regarding the allocation issue and that
5 information was never forthcoming?

6 MR. CHEN: That is correct. I inquired as to
7 whether there was a verification and --

8 BOARD MEMBER BROWN: Sir, do you have
9 documentation to show that the hauler or that there was a
10 misallocation?

11 MR. FRYE: They never weighed a load. We have no
12 way of proving it. But we do factually know where they
13 picked it up.

14 BOARD MEMBER BROWN: Well, I think we need to
15 have the factual information in order to substantiate the
16 allegation before we can move forward with changing what
17 documents and the things that --

18 MR. FRYE: We will take responsibility for all of
19 those. But we are requesting a continuance to give us a
20 chance to get the new waste hauler on board, to get the
21 new garbage cans containers distributed, and we will have
22 some new programs in place.

23 BOARD MEMBER BROWN: I think that's great. I
24 would ask staff, would that not be part of a Compliance
25 Order is to work with the new hauler, and that would be

1 heart of your performance under your Compliance Order if
2 we move forward with that.

3 BRANCH MANAGER O'SHAUGHNESSY: You're absolutely
4 correct. The purpose of a Compliance Order really is to
5 act as a time extension to provide both the jurisdiction
6 and the Integrated Waste Management Board equal
7 opportunity to show success. Through the implementation
8 as is outlined in the agenda item, we would be working
9 with the City so they can develop a Local Implementation
10 Plan. That plan, as is already being presented by the
11 City, find a new hauler, let's take care of misallocation
12 issues if they exist, accomplish things within a year,
13 have a one-year monitoring period and go forward with
14 success.

15 MR. FRYE: I would like to close with one
16 comment.

17 I talked to the County of Fresno just last week
18 and asked them to change their contract to require any
19 waste haulers that's utilizing our contractor to weigh
20 each load as they pick it up. They said they would not.
21 They said they already had a contract. They had no
22 intention of changing it. I would ask your staff, you may
23 want to look at that.

24 CHAIRPERSON MULÉ: Are you saying every load that
25 goes to the landfill is not weighed?

1 MR. FRYE: I couldn't hear that.

2 CHAIRPERSON MULÉ: You want all the loads weighed
3 prior to going to the landfill?

4 MR. FRYE: Yes. Particularly the ones that are
5 collected outside. If it's our waste hauler that is
6 collecting the solid waste outside the city limits, we
7 would like them to weigh the loads before taking them to
8 the American Avenal Landfill.

9 CHAIRPERSON MULÉ: Don't they get weighed prior
10 to the entering the landfill?

11 MR. FRYE: Yes.

12 CHAIRPERSON MULÉ: They are weighed when they get
13 into the landfill. The issue is it's a misallocation
14 issue.

15 MR. FRYE: That's right. But they don't weigh
16 them any place along the line, except when they take it to
17 the landfill. And they cannot tell anyone -- the waste
18 hauler cannot tell anyone whether it's 80 percent city or
19 60 percent city or 100 percent city, because they picked
20 up in four locations.

21 CHAIRPERSON MULÉ: Well, frankly having done this
22 when I was in the private sector, then my question is then
23 how does the hauler then bill the customer?

24 MR. FRYE: I have no comments on that. It's up
25 to them.

1 CHAIRPERSON MULÉ: So there's some information
2 that's missing here.

3 And frankly in my review of this item, I was very
4 disappointed in the lack of program implementation, very
5 disappointed in the fact that new home owners are not
6 receiving new bins.

7 It sounds like the City is on the right track in
8 getting a new hauler, getting new containers. But we have
9 yet to see the results of any of that coming to fruition.

10 So my opinion is the same as Chair Brown's here.
11 I feel that we should issue this Compliance Order, because
12 it does provide a means for all of you to work together to
13 get the City on the right track.

14 Chair Brown.

15 BOARD MEMBER BROWN: The other point I was going
16 to make, I think you raised a good point. If you're going
17 to a new contractor a new hauler, then you won't be using
18 the same hauler that you're alleging the County of Fresno
19 is misallocating to you.

20 MR. FRYE: Correct.

21 BOARD MEMBER BROWN: So I think it's incumbent on
22 you during the Compliance Order period to seek out -- and
23 I don't know where the city attorney, is Mr. Bacigalupi,
24 and ensure that there is accountability to you in the
25 allocation of numbers to your county and that there was

1 sufficient oversight of those numbers throughout the
2 process.

3 Because I think it's the City of Firebaugh's
4 responsibility to ensure that the numbers that are being
5 reported for your jurisdiction are accurate. I think, you
6 know, it's unfortunate that there is an allegation against
7 the County of Fresno that they're allocating their numbers
8 to the City of Firebaugh. But without proof and
9 substantiation, we can't use that information.

10 And with the new hauler, hopefully you will be
11 able to turn things around, implement programs that will
12 be effective to getting you back up to the 58 percent that
13 you enjoyed in 2005 and 2006. And we look forward to
14 that.

15 MR. FRYE: Thank you.

16 CHAIRPERSON MULÉ: Any other questions or
17 comments?

18 Staff, do you have anything to add?

19 Do I have a motion?

20 BOARD MEMBER BROWN: Let me get that number for
21 you. I move Resolution 2008-182.

22 CHAIRPERSON MULÉ: Second.

23 It was moved by Chair Brown and seconded by
24 myself.

25 Donnell, please call the roll.

1 EXECUTIVE ASSISTANT DUCLO: Brown?

2 BOARD MEMBER BROWN: Aye.

3 EXECUTIVE ASSISTANT DUCLO: Chair Mulé?

4 CHAIRPERSON MULÉ: Aye.

5 That will go on our full Board agenda, but we
6 will put it on consent.

7 Thank you, staff. Thank you again for being
8 here. Appreciate it. We look forward to working with you
9 on getting you back up approve 50 percent.

10 Okay. Let's move to Item 6 then. Howard.

11 PROGRAM DIRECTOR LEVENSON: Thank you, Madam
12 Chair.

13 I'd like to call our members of our GFE, good
14 faith effort, tribunal up to the front partly to recognize
15 them.

16 What we're going to do with this item, I'll make
17 a little bit of an introduction. And rather than have
18 each staff person come up and make a presentation, Cara
19 and I are going to tag team. We'll make a short
20 introduction for each item.

21 We have staff out in the audience I want to
22 recognize.

23 Ultimately, the decision on the recommendation is
24 the responsibility of this group before you. So all the
25 credit or blame goes to us.

1 Today, you're going to hear over 30 jurisdictions
2 that represent mostly northern jurisdictions. And I think
3 a lot of the jurisdictions who are down south appreciate
4 the Committee's decision to hold it two-day meeting; one
5 north, one south. This makes it a lot easier for many for
6 travel purposes.

7 There are a few jurisdictions, particularly some
8 of our northern rural ones, who just could not make it
9 today due to travel restrictions. And we will do our best
10 to represent their case today.

11 I do want just to sort of set the stage just to
12 provide you a little bit of information about what's in
13 the item. This is a very lengthy item. If you printed
14 out the entire document, it's a couple hundred pages.
15 There's a lot of information here.

16 The first attachment is a two pager, and it shows
17 each jurisdiction of these good faith effort
18 jurisdictions, their estimated diversion rates for the
19 years 2001 through 2006.

20 Attachment 2 is a lengthy document that gives you
21 a list of all the programs they have reported in their
22 annual reports.

23 Attachments 3, 4, and 5 are some of our
24 specialized claims that affect the diversion rate related
25 to biomass and construction and demolition and so on. And

1 then Attachment 6 is really the core summary of what our
2 staff has decided, what it's discussed and come to its own
3 analysis. And again this represents our own staff in the
4 Local Assistance and Market Development program doing a
5 lot of work with the jurisdictions and the haulers.

6 What we're going to do today is the order that
7 we're going to go in is as it's listed in the title. I'm
8 not going to read the title. Probably be longer than the
9 whole Committee meeting if I read it. But it's county by
10 county. And that does a couple things. One, it allows
11 you to start seeing some regional pictures where there's
12 been some collaboration between some of the individual
13 jurisdictions. It also spares my staff from having to sit
14 here through the entire day because all their
15 jurisdictions will be in one clump.

16 But I've asked them to listen in. I think it's
17 important for everyone. And I realize all the
18 jurisdictions have to be here until they are gotten to.

19 The Attachment 6 though is in alphabetical order
20 by jurisdiction. If you're trying to find a jurisdiction,
21 say we're -- the first jurisdiction is Calaveras, that
22 will still be listed in order within Attachment 6.

23 Okay. Couple of things before we launch into the
24 individual items. You're already heard the term time
25 extension. And I want to comment on that, because you'll

1 hear that a lot today or you'll read it in some of the
2 write-ups. That refers to legislation that was enacted in
3 1997 that allowed jurisdictions to get a time extension on
4 the original requirement of 50 percent diversion by 2000.
5 Those extensions required formal Board approval, and there
6 was a specific time line. And while the jurisdictions was
7 on one of those extensions, it didn't undergo this formal
8 review process that we're undertaking today.

9 So you have a number of jurisdictions that have
10 finished their time extensions. They're here today for
11 review. We'll refer to that, that, for example, they
12 completed their programs as required in the SB 1066 time
13 extension. SB 1066 being the enacting legislation.

14 Now those time extensions could only be obtained
15 through the end of 2006. So this is the last review cycle
16 in which we'll be dealing with formal SB 1066 time
17 extensions. They may get a time extension in the form of
18 a Compliance Order as we just discussed with Firebaugh,
19 but that is not the same as SB 1066 formal time extension.

20 Also I wanted to allude to or mention the
21 allocation issue that we just discussed. That is another
22 issue that will come up in a lot of the write-ups. It's
23 certainly one reason -- I'll make my political pitch here.
24 It's one reason why the Board originally wanted to look at
25 a county wide system of reporting under SB 1016, but we

1 weren't able to achieve that. It would have made a lot of
2 the allocation issues a lot easier, although wouldn't have
3 absolved any jurisdiction for implementing its programs.
4 But we didn't get there.

5 So you see we will continue to have misallocation
6 issues into the future, and we will do our best to deal
7 with them. In many cases, we're able to document the
8 misallocation and figure out what happened. It does
9 require, as both of you discussed in the last item,
10 specific documentation that we can verify. And then we
11 can work with our disposal numbers and make those
12 corrections.

13 There are a number of jurisdictions today where
14 we were not able to verify probable misallocations. So we
15 could not subtract those disposal tons from their numbers,
16 and their numbers suffered as a result.

17 The difference between the ones that are coming
18 up in Item 6 is they still went ahead and implemented
19 programs. And that will be the thrust of our
20 recommendation for those particular jurisdictions. So
21 those are two kind of overriding factors that you'll hear
22 quite a bit or read in these items.

23 Lastly, before we start the individual
24 jurisdictions, obviously this is a two-day Committee
25 hearing, today and Thursday. What we would recommend that

1 you do is certainly go through the item. The
2 jurisdictions today, give direction that you agree with
3 the recommendation for good faith effort or if you have
4 other direction or want us to do some follow up.

5 Assuming that you agree with the recommendation,
6 we would carry those over to Thursday's meeting and then
7 have a formal vote of the Committee on the full resolution
8 with all the jurisdictions. But obviously those
9 jurisdictions wouldn't have to come to southern California
10 on Thursday.

11 If there are any jurisdiction where you need more
12 information or we have to do any revisions, we'll follow
13 that direction. And then between now and the Board
14 meeting, we'll work to correct those. And if there's
15 specific cases where a jurisdiction has to come next week,
16 hopefully we'll get that direction from you today.

17 So let me introduce my tribunal. Kyle Pogue --
18 just going straight to my right. Kyle Pogue, Jennifer
19 Caldwell, and Steve SoRelle, and of course Cara on my left
20 and Tamar Dyson from the legal office. And the one
21 missing person is Steve Uselton from down south. You'll
22 see him Thursday.

23 So I think we're ready to begin. And our first
24 jurisdiction is Calaveras County Regional Agency. And the
25 Regional Agency consists of Calaveras Unincorporated and

1 Angels Camp.

2 Prior to forming the regional agency in 2005,
3 both these jurisdictions were on SB 1066 time extensions.
4 Prior to forming the regional agency, they both had
5 implemented programs required by their time extensions.
6 These included residential drop-off programs, government
7 recycling, and electronics recycling.

8 Formation of the regional agency allowed for more
9 effective program implementation. And the regional
10 agency's calculated diversion increased over 13 percent
11 between 2005 and 2007.

12 The agency also began collecting mixed
13 recyclables in December 2007. And it's now implemented a
14 commercial and multi-family recycling program. So in sum,
15 we are seeing upward diversion trends, downward disposal
16 trend, and enhanced program implementation.

17 That's the kind of introduction we're going to
18 provide you for each jurisdiction. I don't know how many
19 slips you have, Madam Chair. But certainly staff and in
20 most cases the jurisdiction representative are available
21 to answer questions.

22 CHAIRPERSON MULÉ: Thank you, Howard. Actually,
23 I currently have three speaker slips. One is -- what I'll
24 do is two have identified the jurisdiction. And one, Mr.
25 Mark White, has not identified the jurisdiction he's

1 representing. So what I will do is call forward -- we
2 have a representative from Calaveras County, which is
3 Leslie Daniel.

4 PROGRAM DIRECTOR LEVENSON: While Leslie is
5 coming up, Jill, can you raise your hand? She's our staff
6 person. I just want you to see the staff who are in the
7 audience. So I'll try to introduce each person as they've
8 done a great job.

9 MS. DANIEL: Hi. My name is Leslie Daniel. I'm
10 the Recycling Manager for Calaveras County.

11 And we have in fact increased our diversion rate
12 13 percent in the past two years. That would be 2005 to
13 2007. And as mentioned, we did it by going to single
14 stream. We bagged our blue bag program. We implemented
15 commercial and multi-family in half our county and
16 expanded our metals recycling program.

17 And I should say while we can't measure the
18 benefit, we have significantly beefed up our educational
19 efforts. That said -- and I want to thank staff very much
20 for their help in our review process and acknowledgement
21 of our efforts with their recommendation.

22 What I really wanted to share with you today was
23 some of the challenges we're facing for the future and
24 some of the ways I would ask the Board to help us into the
25 future.

1 As we all know, SB 1016 will have a very
2 significant impact for this Committee and for compliance
3 for this Committee. One of the biggest challenges that we
4 meet is how to measure success. And I just wanted to
5 share with you a real example of how challenging that will
6 be for Calaveras County.

7 I provided last week some charts, very colorful
8 spreadsheets. Hopefully you received those. And what
9 those are actual diversion measurements. That's the
10 actual tons for programs sponsored by the government.
11 That does not represent everything in our community. And
12 the formula was designed to capture what the government
13 would not track, private recycling efforts.

14 If you look at these, you can actually see that
15 our diversion is increasing. And we know what our
16 disposal is and we know a great deal about our diversion.
17 Unfortunately, the calculated diversion rate does not
18 accurately reflect reality, because we have a good picture
19 of reality. We had already intended and had initially set
20 aside money to redo our base year, because some of that
21 problem is calculation and some of that problem is using
22 18-year-old base year numbers that are no longer good.

23 Unfortunately, SB 1016 removes that opportunity
24 to redo our base year. So I worked the calculations under
25 the new SB 1016 requirements. And our diversion rate

1 which in reality measurable diversion rate that we are
2 measuring is 37 percent would actually be represented in
3 SB 26 as 27 percent.

4 Now, I know that SB 1016 is about program
5 implementation and focusing away from numbers and towards
6 effort. And we support that. But I have to tell you, 27
7 percent is demoralizing. And the inability to reflect
8 reality is demoralizing.

9 So numbers are an easy reference. And we lose
10 the opportunity to make that easy reference. So I wanted
11 to share that challenge. And I would hope that in cases
12 where we can so clearly demonstrate that the numbers
13 aren't representative, that there may be some way to open
14 up an opportunity to reconsider them appropriately.

15 And then the other issue is the budget. We all
16 know what's going on budgetarily. And unfortunately the
17 timing for SB 1016 is challenging in the sense that we are
18 faced with budget decisions right now. This is a time
19 sensitive issue to understand what the measure of
20 compliance is and most importantly what the measure of
21 noncompliance is. And unfortunately, we used to talk
22 about that in the terms of numbers. We need to understand
23 it in order to represent it within our jurisdictions is
24 what it means monetarily.

25 So, you know, I've heard terms like it's a nice

1 goal or it's nice to make the goal. I've been asked
2 pointedly what's the consequences of noncompliance. And I
3 cannot express it in a manner that competes with the level
4 of budget challenge that we are facing. And I cannot of
5 course make anything up that isn't coming from the State
6 in terms of what compliance looks like and noncompliance
7 looks like.

8 So I know that you are grappling with this, and
9 this is all very new. But I'm going to add a time urgency
10 to your consideration of how you look at compliance. And
11 the sooner you can get some word out to local
12 jurisdictions, the better in the face of our budget
13 realities.

14 CHAIRPERSON MULÉ: Thank you, Leslie. I want
15 staff wants to respond to some of your comments.

16 DIVISION CHIEF MORGAN: Thank you. Cara Morgan,
17 Local Assistance Market Development Division.

18 I do appreciate Leslie and her commitment
19 especially representing a rural jurisdiction which face
20 many challenges.

21 With respect to the comments Leslie brought up,
22 we did specifically write the language in 1016 to give us
23 a little bit of a window for jurisdictions like Leslie
24 that may need to update their base year study to 2007.

25 And the way we wrote that language and the fact

1 that Leslie's county has allocated funding and had
2 formally was going down that path, we actually could let
3 them in that window.

4 But I'd like to go one step beyond that and offer
5 our assistance for our team to help them do that study,
6 which would save precious resources that Leslie could put
7 to programs. And it would be a study our team could dig
8 in and do fairly quickly.

9 So I think in talking with Howard, we do have
10 that ability with Calaveras county because of the fact
11 they had formally gone down that path. So if Leslie is
12 open, we'd like to discuss that.

13 MS. DANIEL: That's fabulous. Unfortunately, my
14 budget took away all that money.

15 CHAIRPERSON MULÉ: But we could still help you.
16 I think that's the point. The point is we can provide
17 assistance to you so --

18 MS. DANIEL: Maybe we can do something in house?

19 DIVISION CHIEF MORGAN: That's what I'm talking
20 about.

21 CHAIRPERSON MULÉ: We've done that with other
22 jurisdictions. We're happy to help you with that.

23 DIVISION CHIEF MORGAN: We've been successful.

24 BOARD MEMBER BROWN: See. That was a good
25 allocation of funds to come down here.

1 MS. DANIEL: Without a doubt. And bringing it to
2 your forefront. So thank you. Thank you. I have little
3 doubt we will take you up on that offer.

4 DIVISION CHIEF MORGAN: And the second part of
5 Leslie's comment. We are currently working on a decision
6 makers' tool kit with Jon Myers and his shop and the
7 Office of Public Affairs. I think that's going to help
8 folks representatives like Leslie explain to their boards
9 of sups and city councils what this all means to them.

10 Certainly the main premise behind SB 1016 was to
11 move away from complex and untimely measurement system to
12 something that is more real which is disposal. That's
13 going to be our focus as we move -- and as you'll see in
14 the reviews we've done here, we focus on disposal and
15 what's happening with the disposal trend. I think it's
16 easier for jurisdictions to focus their implementation
17 effort and target programs that are reducing disposal.

18 So I think we have some work to do to help
19 educate our local elected officials. But I think
20 continuing the dialogue and continue to get feedback from
21 representatives like Leslie is going to help us refine our
22 message and develop tools for our local jurisdiction
23 representatives that will help them.

24 CHAIRPERSON MULÉ: Great. Thank you, Cara.

25 BOARD MEMBER BROWN: One thing we cannot lose

1 sight of, especially in today's climate, not to use a turn
2 of phrase, but as we start looking at global warming and
3 greenhouse gas reductions, there is little ability for a
4 jurisdiction cities and counties to reduce their
5 greenhouse gas reductions in other areas other than to
6 show those through recycling.

7 I think once we get further into the allocation
8 and looking at how we are going to assist cities and
9 counties with their reduction of greenhouse gas emissions,
10 you will find a tremendous percentage can be your waste
11 reduction and recycling efforts. We're working with the
12 Institute of Local Government to develop that tool kit and
13 those numbers. So hopefully that will be part of the
14 decision makers' packet that Jon brings forward. And
15 early numbers we've got, it could be as much as 20 percent
16 of your reductions can come from waste reduction and
17 recycling efforts. So we're hopeful those numbers do pan
18 out, but hopefully that will be a way that you can show
19 that this does make a significant contribution.

20 MS. DANIEL: Thank you very much.

21 CHAIRPERSON MULÉ: Thank you for being here.

22 Okay. Let's move on. I think we're in agreement with
23 staff's recommendation.

24 PROGRAM DIRECTOR LEVENSON: What we'll do at the
25 end of the day is summarize any jurisdictions that there

1 are still questions about. Otherwise, I think we can
2 assume that they'll be included in the recommendation.

3 CHAIRPERSON MULÉ: Thank you.

4 PROGRAM DIRECTOR LEVENSON: Next one is the City
5 of Clayton, County of Contra Costa.

6 Jennifer Caldwell, raise your hand, is our staff
7 person.

8 Clayton had a diversion rate of over 50 percent
9 in 2003 and '04, but in 2005 the rate declined and
10 disposal increased. And this was really due to the local
11 school district's construction work. As with many
12 jurisdictions, Clayton does not have control over the
13 school district's waste management programs, even though
14 its hauler offers recycling to the district.

15 So in these cases involving construction and
16 demolition debris, the jurisdiction can submit a
17 modification request. But as I mentioned before, this is
18 an area where we weren't able to verify or get -- the
19 jurisdiction was not able to get the adequate records to
20 make that modification.

21 If they could have documented 165 tons of
22 additional diversion, they would have been over the
23 50 percent rate. And they're implementing their programs
24 quite well. And at least our preliminary numbers from
25 2007 indicate a decline in disposal of several percentage

1 points.

2 CHAIRPERSON MULÉ: Okay. Any questions? Thank
3 you. Anybody here from there Clayton

4 MS. HOFFMEISTER: I am, but I don't need to
5 speak.

6 CHAIRPERSON MULÉ: Thank you for being here.
7 Thank you for all your efforts.

8 PROGRAM DIRECTOR LEVENSON: Next is the City of
9 Concord, also in Contra Costa County. And Jennifer is
10 responsible for this one.

11 Again, this is one in 2004 the City met the
12 mandate, the 50 percent level. But in 2005, they
13 witnessed an increase in disposal due to more self-haul
14 disposal, which is one of the tough issues for
15 jurisdictions to handle.

16 They have now implemented a number of programs,
17 including a construction and demolition debris ordinance
18 and a variable can rate incentives, cheaper for smaller
19 volumes of material being thrown away. As a result, we
20 have seen a decrease in disposal in 2006 and 2007.

21 CHAIRPERSON MULÉ: Great.

22 Any representatives here from Concord?

23 UNIDENTIFIED SPEAKER: I have nothing to say at
24 this point.

25 CHAIRPERSON MULÉ: Thank you for being here,

1 Mark.

2 Okay. Move along.

3 PROGRAM DIRECTOR LEVENSON: Everybody likes this
4 process, at least where we are right now. Maybe not the
5 process leading up to it.

6 Danville is the next one. Is another county in
7 Contra Costa. This one was handled by Katie Garrison and
8 Kaoru Cruz.

9 As with the other ones in Contra Costa County,
10 they exceeded the mandate in 2003, '04, and '05. But in
11 2006, the rate declined. And they had an increase in
12 disposal primarily due to the construction boom. They had
13 Caltrans doing work on Interstate 680. Danville did work
14 with Caltrans, and they diverted almost 2,000 tons of
15 concrete. But there was so much material that some of it
16 had to be disposed, and that really impacted their rate.

17 They have worked over the last few years to
18 resolve program gaps in both the residential and
19 commercial recycling programs. They are working with --
20 Danville is working with other jurisdictions in the
21 Central Contra Costa Solid Waste Authority to conduct
22 waste audits for commercial generators, to improve some of
23 their existing programs, and to adopt a construction and
24 demolition debris model ordinance.

25 In 2005, they rolled out single stream recycling.

1 And in March 2008 they rolled out a variable can rate
2 program.

3 CHAIRPERSON MULÉ: Great. Is there anyone here
4 from Danville?

5 MR. MORSEN: I'm with the Central Contra Costa.
6 I'm represent several cities. I have nothing to say
7 unless you have questions.

8 CHAIRPERSON MULÉ: Thank you for being here.

9 PROGRAM DIRECTOR LEVENSON: One more from Contra
10 Costa, the town of Moraga. Again handled by Katie and
11 Kaoru.

12 Virtually the same scenario as we just saw for
13 Danville. They have exceeded the diversion mandate, but
14 had a decline in 2006 due to the construction. Working
15 through the Authority, they've established a number of
16 programs including this commercial C&D ordinance and a
17 variable can rate. So we're seeing a lot of regional
18 cooperative efforts in that area.

19 CHAIRPERSON MULÉ: Great. Thank you.

20 DIVISION CHIEF MORGAN: Next is City of Orinda,
21 that same group of jurisdictions. The City also
22 experienced a disposal increase and primarily related to
23 the construction boom in the region and they also had a
24 flood emergency. I'll you about the flood and the impact
25 that had.

1 The City has taken steps to address these
2 challenges by conducting waste audits with businesses,
3 reviewing their C&D ordinance to make some improvements,
4 and improving their disposal accounting system.

5 Regarding the flood, the City did divert a
6 majority of the debris, but that material that could not
7 be diverted did impact their disposal. Where they did
8 what they could, but it still did have an impact on their
9 2006 diversion rate.

10 Again that was Katie and Kaoru crew with the
11 staff and that group of jurisdictions.

12 CHAIRPERSON MULÉ: Is there anyone here -- are
13 you representing Orinda as well?

14 MR. MORSEN: I'm actually representing Danville,
15 Moraga, Orinda --

16 CHAIRPERSON MULÉ: Could you come up to the
17 microphone? We need to get you on the record. Thank you.

18 MR. MORSEN: Thank you. My name is Paul Morsen,
19 the Executive Director of the Central Contra Costa Solid
20 Waste Authority. And today, I'm here on behalf of
21 Danville, Moraga, Orinda, and Walnut Creek. And if you
22 have any questions on them, I'll be delighted to answer
23 them.

24 CHAIRPERSON MULÉ: Thank you again for being
25 here.

1 DIVISION CHIEF MORGAN: And next is the City of
2 Pleasant Hill. Jennifer Caldwell is the staff person that
3 conducted this review.

4 The city council funded and implemented all of
5 their SB 1066 time extension projects, including a new
6 variable rate program, a new base year study, weekly
7 residential recycling collection service, regular waste
8 and recycling business audits conducted by the hauler, and
9 they also instituted a floor sort analysis to verify
10 recyclable material that's available for diversion. And
11 they identified compactor boxes that have a high content
12 of recyclable materials so they can be re-routed to the
13 MRF.

14 I believe the jurisdiction representative is here
15 if they would like to speak.

16 CHAIRPERSON MULÉ: Is there someone here from
17 Pleasant Hill? Would you like to address the Committee?

18 MR. NELIS: Not at this time.

19 CHAIRPERSON MULÉ: Thank you for being here. We
20 appreciate it.

21 DIVISION CHIEF MORGAN: The next is the City of
22 Walnut Creek. And again this is Katie and Kaoru who
23 conducted this analysis.

24 As a member of the Central Contra Costa Solid
25 Waste Authority, the City of Walnut Creek has implemented

1 all of its program and also added alternative programs.
2 While disposal the increase, the City attributes this
3 increase to a construction boom in the region. The City,
4 like the other cities, has taken steps to identify and
5 resolve program gaps, barriers, and problem areas in both
6 the residential and commercial recycling programs.
7 Examples include they've conducted business waste audits
8 of their large generators and they've revised their C&D
9 ordinance.

10 Starting -- this is exciting -- in October 2008,
11 they initiated a pilot program to test collection and
12 pre-processing of commercial food waste that will be
13 processed by East Bay Mud Treatment facility in Oakland.
14 The pilot will include 50 commercial generators, including
15 restaurants, grocery stores, and cafeterias from Walnut
16 Creek and Lafayette.

17 Pending required permits, East Bay Mud will also
18 use anaerobic digestion process that offers additional
19 environmental benefits. So we were very excited about
20 this new improvement.

21 CHAIRPERSON MULÉ: Is there anyone here from
22 Walnut Creek? Sorry.

23 Thank you for being here representing all these
24 jurisdictions. Sounds like there's some similarities with
25 the programs you're implementing. So again, it seems like

1 you're just trying to find out how to do more. So we
2 appreciate all the efforts.

3 DIVISION CHIEF MORGAN: With respect to disposal
4 misallocation, we hope to work with them to formally form
5 a regional agency in the near future. So we'll work on
6 that.

7 The next city is City of South Lake Tahoe. Jill
8 Firch and Steve SoRelle are the staff that conducted the
9 review.

10 The City had been above 50 percent diversion
11 until 2006. Again construction boom is why the City
12 estimates disposal has increased.

13 The City has addressed the program gaps though
14 through expanded and enhanced programs. They expanded the
15 residential drop-off program. They increased public
16 outreach. They expanded their schools recycling and
17 education, and they created a C&D ordinance.

18 The City also has significantly expanded its
19 material recovery facility operations, almost doubling the
20 facility capacity.

21 The material recovery facility has historically
22 recovered over 45 percent of all materials processed, and
23 they expect to see with this expansion a significant
24 increase in diversion.

25 I think there is a representative here.

1 CHAIRPERSON MULÉ: South Lake Tahoe, would you
2 like to address the Committee?

3 MR. ANGELOCCI: No.

4 CHAIRPERSON MULÉ: Thank you for being here.

5 DIVISION CHIEF MORGAN: The City of Kerman, this
6 is one of the jurisdictions that Howard referenced earlier
7 that were originally referred to the JCA section. I'll
8 give you a little bit of background on that. John Duke
9 and Melissa Vargas are the staff that conducted this
10 review. And Trevor's JCA team also participated in this
11 review.

12 Our Local Assistance and Market Development staff
13 initially recommended the City of Kerman to be referred to
14 the Jurisdiction Compliance and Audit Section, because at
15 the time of our referral, the City had not fully
16 implemented their SB 1066 time extension programs. These
17 were both residential and a commercial program.

18 Once determining these areas that needed to be
19 addressed, the Jurisdiction Compliance and Audit Section
20 staff independently inspected, monitored, and verified all
21 of the City's programs. In this interim period of time as
22 we refer to as the conferring period, between the LAMDs,
23 our staff's initial determination and the Jurisdiction
24 Compliance and Audit inspection, the City, I'm happy to
25 say, has fully implemented their programs.

1 Jurisdiction Compliance and Audit Section staff
2 analysis of all of the available data related to the
3 City's programs have verified that the City's current
4 programs are now being fully implemented.

5 And there is I believe a representative here from
6 the City of Kerman.

7 MR. MANFREDI: I'm Ron Manfredi, City Manager,
8 and I have no --

9 CHAIRPERSON MULÉ: Would you come to the
10 microphone, please? We need to get you on the mike.
11 Thank you.

12 MR. MANFREDI: Madam Chairman, members of the
13 commission, Rod Manfredi, City of Kerman.

14 Before I respond to any questions, I'd like to
15 recognize your staff for the cooperation they showed us
16 and the direction. Raffy, I always butcher your last
17 name. My kids used to listen to a child singer, Raffy.
18 And John Duke, and also our new contract hauler, Mid
19 Valley Disposal, that's implemented our programs.

20 Can I answer any questions for you?

21 CHAIRPERSON MULÉ: Not currently. But thank you
22 for being here. We appreciate it.

23 Thank you, staff, for the job you did on this
24 one. Good teamwork. Thank you.

25 PROGRAM DIRECTOR LEVENSON: Back to me. We're

1 flying through these.

2 I think that represents -- I just want to remind
3 everybody how much work went into this when I talked about
4 beforehand on the part of the jurisdictions to implement
5 the programs and the review process itself. So for those
6 jurisdictions representatives that are here, I'm sure
7 you're glad it's going smoothly. But take advantage of
8 this if there is something you want to tell the Committee,
9 a program you want to highlight or something you're
10 requesting like Leslie did for Calaveras.

11 The next one is the City of Mendota in county of
12 Fresno. This is another one from John Duke and Melissa
13 Vargas.

14 Mendota implemented its core diversion programs
15 in both the residential and commercial recycling areas
16 during its SB 1066 time extension. This included a
17 three-bin collection program in the residential community.
18 And they also, a somewhat unusual move, to address the
19 issue of contaminants in the recycling bins, hired a code
20 enforcement officer to look at that issue. That was just
21 earlier this year.

22 It does have challenges, because like many of the
23 central valley communities, it's in a highly agricultural
24 area. There's a large seasonal migrant population. The
25 City has strengthened its education and outreach programs

1 to the migrant population with flyers and various
2 meetings, bilingual outreach.

3 They did start diverting materials to a new
4 materials recovery facility recently. And as a result,
5 the disposal numbers in 2007 have shown a decrease.

6 Next we'll move on to some communities in
7 Humboldt County. I probably should recuse myself since
8 I'm Humboldt State grad. But I'll go for it anyways.

9 First is the City of Eureka. All of these
10 jurisdictions in Humboldt County are handled by Yasmin
11 Satter.

12 Eureka implemented all its programs in its SB
13 1066 time extension. These included backyard and on-site
14 composting and mulching programs, residential curbside
15 collection, food waste composting, and expansion of the
16 materials recovery facility. It's also implementing a
17 mandatory commercial curbside program, and it's working
18 with the Humboldt Waste Management Authority to develop a
19 construction and demolition debris ordinance that can be
20 adopted by the various jurisdictions in the county.

21 As with a lot of the north coast jurisdictions,
22 both on the coast and inland mountainous areas, their
23 location really limits their ability to market materials.
24 So it's always a struggle. But as with many of the
25 jurisdictions, it is implementing and expanding its

1 diversion programs.

2 Ferndale is another --

3 CHAIRPERSON MULÉ: Excuse me. We have a
4 representative from Eureka.

5 MR. BIRD: I just wanted to indicate --

6 CHAIRPERSON MULÉ: Please come to the microphone.
7 Thank you. We need to get you on the record.

8 MR. BIRD: Gary Bird, Special Projects Manager,
9 with the City of Eureka.

10 Just want to mention I'm here. Don't have any
11 comments to make. But be happy to answer any questions.
12 And want to thank you for your consideration.

13 CHAIRPERSON MULÉ: Thank you for making the trip
14 down here from Eureka. I know that's a quite a ways to
15 come. But we feel that just your presence here shows us
16 that the jurisdiction is committed to the program.

17 MR. BIRD: Thank you.

18 BOARD MEMBER BROWN: I have a question. You have
19 implemented a C&D recycling facility. Has that been
20 successful and have you been able to market those
21 materials regionally as opposed to having to transport
22 them?

23 MR. BIRD: I wish we implemented a C&D recycling
24 facility. But we're working with our regional authority
25 and --

1 BOARD MEMBER BROWN: Did you have a C&D recycling
2 ordinance?

3 MR. BIRD: We have a mandatory curbside garbage
4 and recycling collection that city wide. In fact, that
5 was just implemented, just adopted by the city council in
6 June of this year. And next week we will be rolling out
7 all of the garbage containers, some 9,000 of them. We
8 have currently about 3500 households that self-haul
9 garbage in Eureka.

10 BOARD MEMBER BROWN: So you don't have a C&D
11 ordinance?

12 MR. BIRD: No. The Regional Waste Authority is
13 developing a model ordinance for all of the cities and the
14 county to adopt in Humboldt County. We have seven cities.

15 BOARD MEMBER BROWN: That would be helpful.

16 MR. BIRD: And that is very high on our list. In
17 addition to the mandatory ordinance, we do have the C&D
18 model ordinance that we're doing for the authority. We're
19 also working on a regional food waste diversion facility
20 similar to the one that Davis has on -- Dave built using a
21 vessel --

22 BOARD MEMBER BROWN: Anaerobic digestion?

23 MR. BIRD: Yes.

24 BOARD MEMBER BROWN: Will that be the Regional
25 Waste Authority that is implementing that or utilizing

1 that?

2 MR. BIRD: We're hoping so. We're hoping to make
3 that a regional facility. But currently the City of
4 Eureka has been taking the lead on that and finding a
5 location for that facility, which would be adjacent to our
6 existing wastewater treatment plant. But we are working
7 through the Authority to bring in our jurisdictions and
8 help us with funding a feasibility study that we're
9 undergoing right now.

10 BOARD MEMBER BROWN: Good job. Thank you.

11 CHAIRPERSON MULÉ: Thank you for being here.

12 DIVISION CHIEF MORGAN: And if I might add, this
13 is another county that we're working closely to try to
14 form a regional agency. It makes sense up there. They
15 have a lot of disposal allocation issues. It really is
16 the next step. So a plug from you would be helpful.

17 CHAIRPERSON MULÉ: I think that's great if we can
18 get them to form a regional agency. Just from a facility
19 standpoint, it would make so much sense for them to
20 combine their resources. Thank you.

21 PROGRAM DIRECTOR LEVENSON: Next from Humboldt
22 County is the City of Ferndale. I do want to make one
23 correction. In your Attachment 6, some of you may have
24 seen that there was a revision. There is a quote of the
25 diversion rate being 11 percent. That's incorrect. It

1 should be 38 percent. So we have made that revision in
2 our electronic system. I wanted to flag that to you.

3 Again, this is a rural jurisdiction in Humboldt
4 County. It's implemented its core diversion programs both
5 on the residential and commercial sectors. And this is
6 another jurisdiction that's suffered from some of the
7 misallocation issues. When you have a very small
8 jurisdiction like this, a change in disposal of only 18
9 tons is one percent diversion so -- a change of one
10 percent in the diversion rate. So it doesn't take much to
11 affect the rate.

12 So for Ferndale in 2006, the diversion rate did
13 decline to 38 percent due to inaccurate disposal
14 accounting, but we could not document the extent of that
15 in terms of quantifying it.

16 Again, as Cara said, the City is discussing with
17 other jurisdictions in the area the formation of a
18 regional agency. And that would make a big difference in
19 all of the program implementation, dealing with some of
20 the allocation issues and so on.

21 No rep. That's right. There's no rep from
22 Ferndale.

23 Rio Dell also in Humboldt County. It's again
24 much the same situation as Ferndale. This is a case
25 though where it did have a Board-approved reduced

1 diversion rate. As you know, rural counties, rural
2 jurisdictions are able to petition the Board for a reduced
3 rate. And some have and some haven't. This is one that
4 did.

5 Even so, it's gone ahead and fully implemented
6 its programs, its diversion rate was not even close to the
7 43 percent goal. Again, this is a situation where a small
8 disposal reporting mistake makes a huge difference.

9 So along with Ferndale and others, the regional
10 agency would really make a big difference. But the City
11 is doing what it can to implement its program.

12 Now we'll shift over to Kings County, the Kings
13 Waste and Recycling Authority. This is handled by Paul
14 Brainin. Paul out there somewhere?

15 The Kings Waste and Recycling Authority is
16 comprised of the cities of Corcoran, Hanford, and Lamoore
17 and then Kings County Unincorporated. The Authority has
18 some difficulties implementing programs because of the
19 1996 County ordinance that prohibited them from passing
20 mandatory program requirements. And then also because, as
21 with others -- got to be a broken record here -- we've
22 gotten some disposal reporting that's been allocated from
23 non-members of the Authority in this case. Even so, they
24 implemented their programs, and they did achieve a 48
25 percent diversion rate for 2005 and '06.

1 They've now implemented a three-cart three-bin
2 collection system. It's been rolled out by the different
3 cities: In Corcoran in 2005, Lamoore in 2006, and Hanford
4 in 2007. And we expect that to really have an effect on
5 disposal trends.

6 CHAIRPERSON MULÉ: Is there anyone here from the
7 Kings Waste Authority?

8 MR. MONACO: Yes, ma'am. No comment.

9 CHAIRPERSON MULÉ: Thank you for making the trip
10 and being here. It seems like you're on the right track
11 here.

12 DIVISION CHIEF MORGAN: Next is Lake County
13 Unincorporated. And Caroline Chavez is unable to be here
14 today due to their financial situation. Travel is really
15 difficult. So we told them we would do our best to
16 represent their case and answer the Board's questions.

17 The staff person on this case is Terry Brennan.

18 Lake County Unincorporated has implemented all of
19 its programs, including residential curbside, commercial
20 on-site pickup, residential curbside green waste
21 collection. They also have a program for concrete asphalt
22 material and a pretty good public outreach program
23 including radio, TV, website, and brochures.

24 While the county's disposal amount has increased
25 over the last few years, our staff in working with the

1 county have attributed much of this increase to the
2 cleanup of illegal disposal sites. And that's part of our
3 program that does count against the jurisdictions. But if
4 any of you have been to Lake County, you know the
5 challenges that they have with illegal disposal in that
6 area. And they made a real concerted effort in those
7 couple of years to clean up some of the more blighted
8 areas of the county. But they continue to expand programs
9 and implement programs.

10 In addition to all these efforts, a C&D and
11 composting facility opened in February 2006 and that
12 program is also helping the County to reduce disposal.
13 And I'm happy to note a preliminary disposal for 2007
14 shows a significant decrease in disposal. So it looks
15 like the programs are really working.

16 CHAIRPERSON MULÉ: Thank you.

17 DIVISION CHIEF MORGAN: They next city is City of
18 Madera. And Regina Anderson is our staff person in charge
19 of that. There she is back there.

20 The City of Madera is one of the cities that
21 Howard referred to earlier where the Local Assistance and
22 Market Development staff referred this jurisdiction to the
23 Jurisdiction and Compliance Audit Section, because this
24 City had not fully implemented their SB 1066 time
25 extension programs.

1 Our Local Assistance Market Development staff had
2 identified there was still gaps in program implementation,
3 in particular with the construction and demolition debris
4 program and residential and commercial programs.

5 In the time period between when the Local
6 Assistance Market Development staff referred the case to
7 Jurisdiction Compliance and Audit Section, the City now
8 has fully implemented their programs, which we're pleased
9 to know.

10 To date, it has implemented a construction and
11 demolition ordinance and has proven they are implementing
12 that ordinance. They have provided free 96-gallon cans to
13 small commercial businesses. They've established a new
14 buy-back center and created new marketing efforts that are
15 being implemented by the franchise hauler.

16 The City is working closely with the hauler to
17 continue to boost program efforts after a little bit of a
18 slump of efforts in 2006.

19 Disposal trends for the first several months of
20 2008 are already indicating a decrease in disposal. The
21 Jurisdiction Compliance and Audit Section has conducted
22 inspection and independent analysis of all of the
23 available data related to the City's programs and has
24 verified that the City is now fully implementing their
25 programs.

1 And I believe there is a representative here from
2 the City.

3 CHAIRPERSON MULÉ: Good morning.

4 MR. BULLIS: Madam Chair, Mathew Bullis, Public
5 Works Director, City of Madera.

6 We're excited for the next year. We've
7 implemented a lot of programs this year, and I think we're
8 going in the right direction. We just started a C&D
9 program as of December '08. We'll see how that rolls out.
10 We're in the middle of a commercial recycling program with
11 the commercial people. So we're very excited about the
12 possibilities of increasing our diversion rates.

13 CHAIRPERSON MULÉ: Thank you for being here. And
14 again your programs reflect the commitment to this
15 program. So thank you.

16 MR. BULLIS: On a side note that doesn't relate
17 to this, we're excited to be here. We brought our CNG
18 vehicle up from Madera. We ran out of fuel about
19 Stockton. Couldn't find a facility. Had to beg some gas
20 to get here. We apologize for that. But we were all
21 sullen we were going to be towed into town. We got five
22 bucks' worth of gas, and we're like, yes. We are here.
23 So we're pretty excited.

24 Raffy, you're the man. Thank you.

25 CHAIRPERSON MULÉ: I was looking over at Raffy

1 earlier, because if I have his nod of approval, I know
2 that you're doing a good job.

3 MR. BULLIS: He calls us every day. We've got
4 religion. Thank you.

5 BOARD MEMBER BROWN: You should have called him
6 for the gas.

7 DIVISION CHIEF MORGAN: I think the partnership
8 with the Jurisdiction Compliance and Audit Section has
9 proved it's working very well.

10 The next jurisdiction is Mariposa Unincorporated.
11 And Paul Brainin and Melissa Vargas our staff.

12 Mariposa County does qualify for a rural
13 reduction in order to get relief from the 50 percent
14 diversion requirement. However, the County has chosen not
15 to request the designation, but continues to strive to
16 meet the diversion requirements now, the disposal-based
17 requirements.

18 During the 1066 time extension, the County
19 invested considerable capital, time, and effort to enhance
20 its waste and recycling system by establishing a new
21 buy-back center and building the municipal solid waste
22 compost facility.

23 The County continues to improve upon its
24 municipal solid waste compost facility operations to
25 reduce waste that's going to the landfill.

1 Also given Yosemite National Park's waste is
2 assigned to the county and accounts for one quarter of the
3 refuse stream, the county continues to work with the park
4 to establish a food composting program.

5 And I must say our team, Paul and Melissa, are
6 working really hard with the County to continue efforts
7 with Yosemite National Park in continuing to expand those
8 programs.

9 BOARD MEMBER BROWN: How is the success of the
10 facility that just opened up that was a joint venture
11 project with US Park Service and the County? Is that
12 helping to boost their numbers? I know we went to the
13 grand opening.

14 DIVISION CHIEF MORGAN: We did. Yeah. That's
15 their municipal solid waste compost facility.

16 When it first opened, there were some challenges
17 dealing with the waste stream. And our staff -- be nice
18 to hear from Paul or Melissa, because they have been
19 working closely with the county on helping them make some
20 of those improvements.

21 MS. VARGAS: Right is Marty? Marty come on,
22 Marty.

23 CHAIRPERSON MULÉ: We have representatives here
24 from the county.

25 MS. VARGAS: We have representatives from the

1 county. But I would like to say quickly, the county
2 continues to make modifications to their facility in order
3 to capture as much uncontaminated material to make the
4 most out of their solid waste composting facility as
5 possible.

6 And with Marty right here, I'll go ahead and let
7 him continue the dialogue.

8 MR. ALLAN: Marty Allan, Mariposa County.

9 We've really strived to bring on and make changes
10 with our recycling. We have our new Solid Waste and
11 Recycling Manager with us today also. And the Director of
12 Public Works is also here.

13 We have had two years I believe that we were out
14 really far out because we had a lot more disposal than
15 what we currently have. And it was a reporting issue
16 where we were without having our scale for one thing
17 weighing and everything was being calculated based on
18 cubic yards. And it put us up higher than what we think
19 we actually had.

20 And I've been working with Melissa on that,
21 because it appears to be there were some problems as far
22 as reporting is concerned.

23 Right now we're currently working -- Michelle is
24 working with Tuolumne County. We're working on grants and
25 things like that that we'll be able to hopefully increase

1 our recycling quite a bit more than where we currently
2 are.

3 BOARD MEMBER BROWN: Marty, what I'm curious
4 about is the success of your MSW composting facility.

5 MR. ALLAN: Right. Okay. We our compost
6 facility is the first of its kind in California. And we
7 have had to go through some learning processes.

8 One of them was Michelle has been making some
9 modifications in processing one it's been dumped on the
10 floor. We make a decision on the gate when it comes in
11 whether it goes in the compost facility or directly to the
12 landfill based on the contents of the material. But with
13 the changes that we've made, we've pulled a lot more stuff
14 out of the stream going in.

15 BOARD MEMBER BROWN: Are you able to market the
16 material?

17 MR. ALLAN: Not at this time.

18 BOARD MEMBER BROWN: What do you do with it after
19 you compost it?

20 MR. ALLAN: We use it for daily cover, a part of
21 it. And the rest of it has to get buried in the
22 landfill. It's one of the issues that we're dealing with
23 right now.

24 To look at the compost that comes through, you
25 would understand why we can't market it. It's got just a

1 lot of glass and plastics still in it that we can't get
2 out everything. So those are one of the big areas we are
3 working on.

4 BOARD MEMBER BROWN: That's disappointing.

5 MS. VARGAS: But Board staff is continuing to
6 work with the County to help them continue to pull --
7 because he's right. The County is inundated with the
8 plastics and the glass. So they're working on cooling
9 techniques to be able to pull those materials out front up
10 front so they get a more marketable material out back.

11 So in conjunction with the partnership with
12 Yosemite, some food waste, getting a more rich, more
13 marketable material, being a rural jurisdiction, we think
14 we have some better material to be able to market in the
15 future.

16 MR. ALLAN: We're currently working with Yosemite
17 National Park in and Delaware North Corporation to come up
18 with a greener mixture coming in that they would do more
19 separation on their end prior to them bringing them in.

20 BOARD MEMBER BROWN: It just seems like we're
21 missing the steps on where we're filtering that stuff out.
22 I mean at some point in the process if you could remove
23 the plastic and the glass before it goes into the vessels
24 or the grinders, then you'd eliminate the contamination
25 problem on the back end. And you'd have a better mix.

1 That's not why we're here today.

2 MR. ALLAN: We do trammel the material that comes
3 out and separate all the big material before -- we do get
4 loads probably three to one of plastic versus one of
5 compost when we go through our trammeling process.

6 BOARD MEMBER BROWN: Well, the pressure is on.
7 Because being the first of its kind in the state of
8 California until you can make it successful, it's not
9 going to start spreading throughout the state. So
10 whatever we can do to help you through this process, we
11 want to ensure that we're standing next to you and helping
12 us guys get through this to make this facility successful.

13 MR. ALLAN: Staff has been very helpful, and we
14 really appreciate it.

15 BOARD MEMBER BROWN: Thank you, Marty.

16 CHAIRPERSON MULÉ: My understanding when we went
17 out there for the grand opening was that the park was
18 already -- had established a separate recycling program
19 for containers, glass, and plastic bottles. So I'm a
20 little confused frankly and disappointed, as Chair Brown
21 is here, that you're getting so much glass and plastic in
22 the MSW composting facility.

23 MR. ALLAN: This is Dana Hurtfelder. He's the
24 Director of Public Works.

25 CHAIRPERSON MULÉ: Please state your name.

1 MR. HURTFELDER: Sorry, Marty. I promised him he
2 wouldn't have to talk this morning.

3 The compost facility came on line in 2006. And
4 the biggest difficulty we had was it was based on a waste
5 characterization that showed we had 70 percent organics,
6 30 percent inorganic material. What we found since we've
7 been operating is now that you can almost flip those
8 numbers. We can getting a lot more plastics, bottles,
9 another inorganic materials in the waste stream.

10 One of the problems we run into in Mariposa
11 County is because the residents are so spread out, we
12 don't have mandatory curbside pickup. What we're trying
13 to do now is looking at a single stream recyclable for the
14 county. We hope that would encourage the residents to
15 recycle a little more than they're doing at this point.
16 We also did hire a staff person to work on an educational
17 program with the local schools and other agencies within
18 the county.

19 The Park Service does have a very aggressive
20 recycling program within the park. And they take out most
21 anything with a CRV value. They have a very aggressive
22 program and are great to work with.

23 The biggest problem we're having is simply
24 getting our county residents to recycle, because most of
25 them are self-haul. I believe probably 80 to 90 percent

1 of our residents are self-haulers. And we're just having
2 a difficult time trying to convince them of the benefits
3 of recycling.

4 CHAIRPERSON MULÉ: You have your work cut out for
5 you. Because if that is in fact the case, then, you know,
6 I don't -- you need to look at perhaps setting up a
7 separate recycling drop-off center at your transfer
8 stations, your drop-off stations. There's a lot more.
9 And you're going to have to do an awful lot more in terms
10 of outreach to your citizens.

11 MR. HURTFELDER: Currently, we do have recycle
12 centers at all of our transfer stations. As part of this
13 project, we built a new buy-back center at the landfill
14 itself. We're going to continue to work on this
15 education.

16 And part of the problem is the County until 2005
17 I believe it was did not operate the County landfill. We
18 had the County franchise hauler not only did our hauling,
19 but also operated our landfill.

20 We took over operation of the landfill in 2005
21 and also operating the compost facility. Being the first
22 of its kind in the state, we just have run into -- we're
23 learning as we go. There have been some challenges. I
24 think we met most of them and we have Marty Allan, the
25 Public Works Administrator, and we have Dr. Michelle

1 Miller who's our solid waste manager. We hired her this
2 June. And we think with this team we'll be able to
3 actually get some project back on line.

4 CHAIRPERSON MULÉ: Thank you all for making the
5 trip being here. Thanks.

6 DIVISION CHIEF MORGAN: Mendocino Unincorporated
7 is next. And our staff is Michael Payan and Steve
8 SoRelle.

9 The County of Mendocino has implemented all of
10 its SB 1066 time extension programs, including fully
11 implementing a residential curbside program, residential
12 drop-off. They've implemented concrete and demolition
13 recycling, economic incentives to increase recycling, and
14 outreach support programs for all of these efforts.

15 Mendocino County we expect to continue to see
16 reduced disposal. We're very excited about two new
17 facilities that are planned. I think they're expected to
18 be operating in early 2009 is what I hear. These two new
19 material recovery facilities are going to allow for more
20 tipping floor space at the existing transfer stations and
21 allow for more efficient processing of C&D material as
22 well as diversion of other types of material.

23 We feel this situation will undoubtedly have a
24 positive impact on the region as a whole, and we expect
25 to continue to see reduced disposal. So for a rural

1 county, the're really making some great strides with
2 program implementation.

3 I don't know if there is --

4 CHAIRPERSON MULÉ: Is there a representative from
5 Mendocino?

6 MR. MILLER: Available for questions.

7 CHAIRPERSON MULÉ: Thank you for being here.

8 DIVISION CHIEF MORGAN: And our next city is
9 Point Arena. And again, the staff team on this is Michael
10 Payan and Steve SoRelle.

11 This city is a very small rural city. And this
12 city just makes amazing efforts to source reduce and
13 recycle, purchase recycled content materials and products,
14 and reuse a wide variety of materials collected in their
15 various programs. They really do go the extra mile.

16 But again, this is a very small city, so it does
17 not take very much to affect their overall diversion rate.
18 One couch disposed can really throw a curve for Point
19 Arena.

20 However, the City has been able to demonstrate
21 through aggressive hauler data, research, and analysis a
22 decrease in disposal numbers in 2007. So we're really
23 excited about the work they're doing.

24 Our staff has conducted site visits recently and
25 verified these impressive diversion programs in this heavy

1 tourism area. And really it's a commitment by the entire
2 city, the businesses participate. The City does all it
3 can with its program. So for such a small city, they sure
4 do an awful lot.

5 And I think we do have a representative here
6 today.

7 CHAIRPERSON MULÉ: Point Arena, would you like to
8 address the Committee?

9 MR. MC FARLAND: Very briefly.

10 CHAIRPERSON MULÉ: And I recall this coming
11 before us a few years back, and I remember going through
12 the fact that -- the uniqueness of your jurisdiction.

13 MR. MC FARLAND: My name is Mitch McFarland. I'm
14 retired from employment with the City, and I was sort of
15 called out to do this. Though I didn't have the title, I
16 was sort of the de facto Solid Waste Director. The City
17 didn't have one. We don't have any full-time employees.

18 So I want to thank the Committee for this
19 opportunity to discuss the unique situation of Point Arena
20 and our struggle to meet the goals of AB 939.

21 Point Arena is the fourth smallest city in the
22 state of California. And I strongly imagine that the
23 three smaller ones are parts of JPAs, which would make us
24 the smallest entity under your jurisdiction. And in fact
25 as I look around the room, this room represents about

1 one-third of our population.

2 So if we say so ourselves, we think we are a very
3 environmentally conscious community. Our pounds per
4 person per day disposal rate is considerably less than
5 half of the state average. And this is not a coincidence.

6 The mathematical model which was so diligently
7 created to assess diversion rates must have, like all
8 mathematical models, a plus and minus. And we believe
9 that the tiny size of our waste stream is smaller than
10 that plus or minus. This accounts for the bizarre
11 diversion rates we've had over the years: 2000 was 17
12 percent; 2001, 88 percent; 2002, 100 percent; 2003, 23
13 percent.

14 And I believe since I left City employment, we
15 actually had a negative, which means we were importing
16 CRVs so we could throw them away.

17 We believe the inadequacy of this model accounts
18 for these strange numbers. And if there ever was a
19 jurisdiction that would be eligible for a good faith
20 mechanism, we believe that we're it. Anyone who has ever
21 seen our recycling efforts, including staff, have come
22 away impressed. It's something we take very, very
23 seriously at Point Arena.

24 And so that's why I'm here to ask you to grant
25 that. And since I was brought out of retirement to come

1 over here today, try not to make me look like a fool.

2 CHAIRPERSON MULÉ: Mitch, thank you very much for
3 being here. Really appreciate it.

4 PROGRAM DIRECTOR LEVENSON: Kind of hard to top
5 that one.

6 Madam Chair, we have gone through 20 of our 30
7 jurisdictions. We're happy to go through the rest.

8 CHAIRPERSON MULÉ: Let's move forward.

9 PROGRAM DIRECTOR LEVENSON: One more city in the
10 County of Mendocino, and that's the city of Willits.

11 Again, Michael Payan is the staff person.

12 This City has worked with its hauler to develop a
13 mandatory residential curbside program and also to
14 incorporate commercial recycling at virtually all the
15 businesses in the city. It also has implemented a
16 construction demolition debris materials collection
17 program.

18 As a result, it has exhibited a decrease in
19 disposal in 2007 and 2008. They've also just opened a new
20 MRF at the transfer station. As that gets fully
21 implemented and developed, we expect to see much more
22 sorting of recyclables and further decreases in disposal.
23 They're not here today due the travel restrictions.

24 CHAIRPERSON MULÉ: Thank you.

25 PROGRAM DIRECTOR LEVENSON: Next is Modoc

1 Unincorporated. Also not here today due to travel.

2 Rick Hicks is our staff person. Rick, thank you.

3 You all know Modoc. It's a large rural county
4 with not quite as small a population as Point Arena, but
5 pretty darn small for a county. That makes the economics
6 of the county-wide collection infrastructure pretty
7 infeasible. And it's obviously very far from markets. So
8 it's struggled to implement programs to get its diversion
9 rate even up to its Board-approved rural reduction rate of
10 13 percent. It's just in a very tough situation.

11 There are some new developments that we think
12 that will hopefully change this for the better. In 2008,
13 Waste Management started a recycling system at the Alturas
14 Transfer Station. Has a bin there for the collection of
15 mixed recyclables.

16 County staff will be recommending a construction
17 and demolition debris ordinance sometime in the next
18 calendar year, early 2009. Of course, hopefully we'll
19 have construction pick up as we come out of the recession
20 midyear and the ordinance will be effective.

21 And this will be true for several jurisdictions
22 in kind of the north central part of the state. There is
23 a materials recovery facility that's being planned for
24 Plumas to be located in Plumas County. And if that does
25 come on line, it hopefully will be able to accept

1 materials from Lassen, Modoc, and Siskiyou, among some of
2 the other regional counties. So that will be a more
3 regional outlet for some of the collected materials.

4 There's nobody here.

5 Next is Mammoth Lakes in the County of Mono.
6 John Duke somewhere in the back there.

7 Mammoth Lakes HAS implemented all the programs
8 that it had outlined in its SB 1066 time extension. And
9 those include -- I'm not going to list them all, but
10 commercial on-site pickup, outreach, publications,
11 expanding their material recovery facility, and
12 construction and demolition recycling.

13 Its diversion rate was still below 50 percent in
14 2005, 2006. If you've been in that area, they had a lot
15 of construction and it was the ski related resorts and
16 hotels. And a lot of the material from those projects
17 were diverted, but not all of it was. And again with any
18 small jurisdiction, that's going to have a big impact on
19 their diversion rate.

20 Projections for 2007 indicate that disposal has
21 decreased. And of course, Mammoth Lakes, like Point
22 Arena, these are towns that have a huge tourist influx,
23 the ski population. And our adjustment factors and
24 diversion methodologies do not account for that very well.
25 We think you'll be better under the new system. But

1 that's another reason why it's difficult to pin down their
2 diversion rate.

3 I don't know if anybody is here from Mammoth
4 Lakes.

5 MR. GROSSBLATT: Thank you. It's a pleasure to
6 be here. Michael Grossblatt with the town of Mammoth
7 Lakes.

8 I just wanted to advise the Committee that
9 hopefully sometime in January or February of next year
10 I'll be going to our town council with a final proposal.
11 What we're looking at doing is taking our existing
12 transfer station and demolishing it, acquiring two
13 additional acres around the property that already exist,
14 and re-engineering and re-building the transfer station
15 facility that will probably accommodate the recycling and
16 growth needs of the town of Mammoth Lakes for maybe 15 to
17 30 years into the future. It is a \$6 million commitment
18 on the part of the town. And I think that demonstrates
19 our commitment to meeting the recycling requirements of AB
20 939.

21 BOARD MEMBER BROWN: Do you have a C&D recycling
22 ordinance? I see that you require builders to put a
23 recycling plan in with the Building Commission, but it
24 doesn't say anything about a C&D ordinance or requirement.
25 It's just an incentive for them to not landfill.

1 MR. GROSSBLATT: That is correct. We don't have
2 a C&D ordinance. We decided rather than going the
3 ordinance route at first for those large hotel and
4 construction projects, we were able to reduce the tipping
5 fees by 75 percent as an economic inducement to get these
6 large construction projects to sort their construction
7 debris and recycle it.

8 And I think we're going to be effective as soon
9 as the economy turns around and a lot of the projects come
10 on line. That kind of reduction in the tipping fee will
11 hopefully provide an economic incentive to go that route.
12 And if it doesn't, then we will do a C&D ordinance.

13 BOARD MEMBER BROWN: But they only get the
14 reduction if they file a plan, but it doesn't say what the
15 plan is requiring as far as percentage of recycling.

16 MR. GROSSBLATT: Well, when a developer comes
17 forward with a large project, they're required to
18 demonstrate to the town what they're going to be doing
19 during the construction phase as far as recycling all of
20 the materials.

21 BOARD MEMBER BROWN: I think a C&D ordinance is
22 better.

23 MR. GROSSBLATT: I know. I agree.

24 BOARD MEMBER BROWN: I was going to ask you how
25 successful do you think this has been so far?

1 MR. GROSSBLATT: Well --

2 BOARD MEMBER BROWN: Because we found that ease
3 -- I mean economic incentive certainly have their place.
4 And that's great. But convenience has shown to be the
5 best incentive.

6 MR. GROSSBLATT: I think the jury is still out.
7 I think when the economy turns around, there's a lot of
8 very big hotel projects coming the way of Mammoth Lakes.
9 A lot of them are LEED construction techniques. And I
10 think there is a built-in incentive to get that kind of
11 designation to do as much recycling as possible of the
12 C&D.

13 BOARD MEMBER BROWN: Well, LEED certification
14 certainly is an incentive. I would hate to have the town
15 of Mammoth Lakes being hit by a reduction if there isn't a
16 C&D ordinance in place. When the economy turns around and
17 you do see a large building and boom of these large hotels
18 that come on line, if you don't have a C&D ordinance in
19 place, you know, the LEED certification certainly is an
20 incentive. But I would hate to see you coming to us in
21 two years and saying, well, you know, we've now
22 implemented our C&D ordinance. We should have done it
23 prior to our anticipated building boom. But now we've got
24 it in place. Because, you know, hindsight is always 20/20.
25 But we wish you the best and hope that you'll be

1 successful in your incentive efforts.

2 MR. GROSSBLATT: Thank you. Your point is well
3 taken.

4 CHAIRPERSON MULÉ: Thank you for being here.
5 Appreciate it.

6 DIVISION CHIEF MORGAN: To add to that, Cara
7 Morgan, Local Assistance Market Development Division.

8 Our team will work with the town in this coming
9 year. We will assess what documentation they're going to
10 see the effectiveness of this program and work with them
11 to share some of the examples in other communities where
12 the ordinances are working. Where incentives are working,
13 we'll monitoring them this coming year so we aren't two
14 years coming down the road and have a glitch. So I commit
15 to you to do that.

16 PROGRAM DIRECTOR LEVENSON: Thanks, Cara. And
17 John Duke was listening, and he's nodding his head. So
18 he'll work with Michael on that follow up. And hopefully
19 we'll be able to report a more rigorous enforcement
20 approach to this.

21 CHAIRPERSON MULÉ: Thank you.

22 PROGRAM DIRECTOR LEVENSON: Next is the Loomis in
23 the County of Placer.

24 Steve SoRelle, who is also part of our tribunal,
25 is the supervisor in charge of this.

1 Prior to 2005, Loomis did exceed the 50 percent
2 diversion mandate. But in 2005 and '06, the rate dropped
3 and disposal increased due to several construction
4 projects, some residential development, renovation of the
5 high schools, football stadium, and a city road expansion.
6 If they had only diverted 155 tons more waste from those
7 projects, they would have been over 50 percent. This is
8 another one where they couldn't find the markets for all
9 of that material.

10 In 2007, they began a new curbside green waste
11 collection program, and they implemented better
12 construction and demolition sorting methods at the
13 material recovery facility. So they had some increase in
14 recovery at that time. And these programs are now fully
15 in place, and we expect them to see higher diversion and
16 decreased disposal in the future.

17 CHAIRPERSON MULÉ: Is there anyone from Loomis
18 present? Would you like to address the Committee?

19 MR. NEISHI: Not at this time.

20 CHAIRPERSON MULÉ: Thank you for being here. I'm
21 really glad to hear you are making improvements at the
22 MRF. We visited a few years back, and there was room for
23 improvement in terms of separation and other parts of that
24 operation. So keep up the good work. Thank you.

25 PROGRAM DIRECTOR LEVENSON: Also from Plumas

1 County is the City of Portola.

2 Alan White is our staff person.

3 This is another pretty isolated rural
4 jurisdiction that has implemented its planned programs.

5 It has taken further steps to resolve program gaps by
6 getting volunteers to take place in the various
7 educational and outreach programs. It is talking with
8 other jurisdictions in Plumas County to form a JPA which
9 would obviously help for reporting purposes and program
10 implementation. It's supporting the development of the
11 regional material recovery facility that I mentioned
12 earlier. That might also serve some of the counties
13 further north. And it has worked with its contracted
14 hauler to improve its green waste program so that it can
15 send materials to local co-generation plants.

16 CHAIRPERSON MULÉ: Is there a representative from
17 Plumas. Would you like to address the Committee?

18 MR. VALENTINO: Tom Valentino, representative for
19 the City of Portola.

20 And we are a very small jurisdiction,
21 approximately 2,000 people. It is isolated.

22 We really are proud of our solid waste program
23 that we have there. We have mandatory collection,
24 mandatory curbside collection. We have commercial
25 recycling with good response from all of our enterprises.

1 We also have an environmental reclamation center at our
2 old landfill site where we do inerts, green waste, and
3 scrap metal. These programs are all very good. And also
4 as Mr. Levenson mentioned, the material recovery facility
5 that the City is working closely with, the franchise
6 hauler, and the County of Plumas to implement that
7 program, and we are in discussions with them to form a
8 regional agency.

9 So we're quite proud of our system that we have
10 in place. The economy is scale is very difficult in these
11 rural communities.

12 CHAIRPERSON MULÉ: That's why the JPA and the
13 regional MRF makes so much sense. So the City of is
14 supportive of the JPA?

15 MR. VALENTINO: We have been. They have a rural
16 reduction. And our diversion rate is very consistent with
17 what the County is doing. But we are moving forward with
18 that. And we hope to get something in place in the next
19 year or two with the material recovery facility.

20 CHAIRPERSON MULÉ: Well, anything we can do to
21 help, we're happy to assist.

22 MR. VALENTINO: We will take you up on that.
23 Thank you.

24 CHAIRPERSON MULÉ: Thank you.

25 DIVISION CHIEF MORGAN: The next city is Rancho

1 Cordova. I would like to give Steve Harriman a heads up.
2 I'm going to ask Steve to come up, because I'd like him to
3 highlight what they have been doing in the last couple
4 months.

5 Rancho Cordova is a newly incorporated city as of
6 July 1st, 2003. Their base year was established in 2004.
7 The City did have an increase in disposal in 2006 which
8 appeared to continue in 2007. However, both City and
9 Board staff feel these disposal numbers are inaccurate,
10 but we've had a very difficult time determining the basis
11 for that. So it's a real challenging disposal reporting
12 challenge for all of us.

13 Though the City initially focused on developing
14 residential programs, it has subsequently changed focus on
15 commercial and multi-family through the implementation of
16 an ordinance to be followed by a completion of a
17 comprehensive construction and demolition ordinance they
18 have been collaborating with all the jurisdictions in the
19 county to develop something regionally.

20 One year ago, the City hired an Integrated Waste
21 Management Manager with intimate knowledge of the City's
22 waste diversion planning to oversee existing programs.

23 And I forgot to mention that Steve SoRelle is our
24 team member on this case, and I'd like to have Steve come
25 up and share with you some of their programs that they've

1 been implementing. Steve.

2 CHAIRPERSON MULÉ: Good afternoon, Steve.

3 MR. HARRIMAN: Good morning, Madam Chair and
4 members of the Committee. For the record, I'm Steve
5 Harriman, the Integrated Waste Manager for the city.

6 I wanted to start by saying I've been working
7 closely with Steve SoRelle and Michael Payan, and they've
8 been very accessible to us and an excellent technical
9 resource. And it's a pleasure to work with them.

10 I've been in the job one year. I know the hour
11 is running late, so I will be brief. But I would like to
12 highlight a couple of things that we've accomplished in
13 the last year.

14 On October 20th, our council adopted the business
15 and multi-family recycling ordinance. We have about 1,400
16 business and multi-family customers in our city. This
17 ordinance will affect about 1,000 of them, so about 70
18 percent. And it's defined as those accounts that
19 subscribe to four cubic yards per week or more of service.
20 So we're very excited about that.

21 One week ago today, our council adopted our
22 environmentally preferable purchasing policy. And we have
23 put together a group called Equipo Verde, which is Spanish
24 for the Green team. Everybody has a Green Team, so we
25 wanted to be a little different. So we have Equipo Verde,

1 which is representatives from planning, public works,
2 finance, and our building department to specifically work
3 on implementing our environmental purchasing policy.

4 And Friday of last week, so just three days ago,
5 we received word from the Department of Conservation that
6 we have been awarded a multi-family recycling grant. And
7 about 40 percent of our housing stock in Rancho Cordova is
8 multi-family.

9 And to be perfectly honest, it has largely been
10 ignored up to this point. And our council has made a very
11 strong commitment to implementing programs and really
12 making that community feel connected to the City of Rancho
13 Cordova. And we think that through recycling programs
14 that's an excellent way to do it. So we're going to be
15 moving forward with that, and we're very excited about
16 that.

17 So we're also working on C&D. There's been a lot
18 of talk about C&D. There is a regional group that has
19 been formed. We're looking at two model ordinances. One
20 of the ordinances would certify facilities as a "certified
21 C&D facility." The second ordinance then would regulate
22 generators of C&D materials. So the facility
23 certification ordinance is actually going to the SWAB
24 Board this week for review and comment. And we will
25 all -- we're basically trying to create a model that we

1 can all replicate regionally and have consistency.

2 CHAIRPERSON MULÉ: Good work. Good work. Thank
3 you.

4 You incorporated, what? 2004?

5 MR. HARRIMAN: 2003.

6 CHAIRPERSON MULÉ: 2003, so you've been very
7 busy. Good work.

8 DIVISION CHIEF MORGAN: I would like to say that
9 while disposal has increased with the City, you know, our
10 staff really dug in on this one. The team really dug in.
11 And I feel strongly with the City hiring Steve and his
12 diligence in really implementing some new programs,
13 especially hard with a new city like this, I feel
14 confident they're moving forward in the right direction.

15 CHAIRPERSON MULÉ: I agree. I mean, you face
16 particular challenges having just been incorporated five
17 years ago. And so I understand the problems that you face
18 with your accuracy of your data from the beginning. So
19 again, I think you're doing all the right things. And
20 hopefully we'll be seeing that disposal number go down.
21 So keep up the good work.

22 MR. HARRIMAN: And thank you again for the
23 diligence of your staff.

24 DIVISION CHIEF MORGAN: Michael and Steve have
25 done a great job. The next jurisdiction is the San Benito

1 County Integrated Waste Management Regional Agency.

2 The staff team working with the Regional Agency
3 is Jamie Cameron-Harley and Melissa Vargas. Jamie is in
4 the back sitting next to the Regional Agency
5 representative.

6 The Regional Agency has completed its SB 1066
7 time extension programs by working closely with our staff
8 on implementing commercial on-site pickup, increasing
9 economic incentives, special seasonal collection. C&D has
10 been a focus for them with their C&D ordinance and really
11 are trying to work hard with the school districts.

12 The Regional Agency has worked to coordinate
13 correct termination with its three haulers in order to
14 contract with only one hauler who solely serves the entire
15 county.

16 In July 2008, the Regional Agency awarded a new
17 franchise agreement with plans to roll out an enhanced
18 commercial residential and school outreach program.

19 With diversion very small of only 267 tons, that
20 effects the Regional Agency's achievement. Just if they
21 had diverted that small amount, they would have met the
22 goal. That's how close they were and part of our
23 reasoning for recommending a good faith effort.

24 We do have a representative from the Regional
25 Agency here today.

1 CHAIRPERSON MULÉ: Mandy, you want to come up and
2 share with us some of the things you've been working on?
3 Because I know you've been working very hard on this.

4 MS. ROSE: Good afternoon, Chair Mulé and
5 Chairman Brown.

6 First, I would like to introduce Phil Couchee
7 from Norcal. Apparently this was bring your hauler to
8 work day.

9 And I would also like to acknowledge that without
10 the corporation of the hauler, not only with our new
11 programs, but Norcal represented the unincorporated area
12 of the county. I couldn't have done what we've done
13 without them. Because there's just me. As I tell people,
14 the mouse in my pocket is the Integrated Waste Management
15 Regional Agency for the two cities and the county of San
16 Benito.

17 As the staff has indicated to you in your staff
18 report, the City of Hollister, which is the largest city
19 in our jurisdiction, has been in moratorium. Just last
20 Thursday the Regional Water Quality Control Board released
21 this moratorium after seven years. It's been our goal to
22 make sure we have a C&D ordinance in place once that
23 occurred. Of course, the economy has taken care of
24 whether or not there's going to be any activity for a
25 while.

1 But the C&D ordinance was introduced in the
2 county of San Benito two weeks ago. So we all know how
3 long those two take effect. And they will be sequentially
4 introduced in the City of Hollister and the city of San
5 Juan Bautista. So we will have those in effect once any
6 of the building does start up again and the economy
7 changes.

8 I think the other thing that we are working on
9 I'd like to point out to you is the Board of Supervisors
10 will be hearing the results of a feasibility study for a
11 resource recovery park. And that's something that we feel
12 will help take care of a lot of what we're not getting in
13 our mandatory curbside program. We do have the three
14 carts. We do have a variable rate program. We have
15 incentive rates at the landfill. All of that has helped
16 us get to where we are. As we recognize, we're still not
17 quite there.

18 CHAIRPERSON MULÉ: Great. Thank you for being
19 here. Thank you for joining Mandy on bring your hauler to
20 work day.

21 PROGRAM DIRECTOR LEVENSON: I'd like to mention,
22 Mandy wears, like many people several hats. She's been
23 very active in recycling market development zone and
24 program as the zone administrator and helping rejuvenate
25 that program. It's not germane to today.

1 CHAIRPERSON MULÉ: She's been very helpful in
2 participating in a number of our programs.

3 DIVISION CHIEF MORGAN: Both she and Jaime have
4 been leading our statewide and marketing outreach
5 development plan with our Office of Public Affairs,
6 Charlene Graham, to develop those new tools for our zone
7 administrators. So knowing how many hats she wears, I
8 appreciate her time.

9 CHAIRPERSON MULÉ: As we do. Thank you, Mandy.

10 DIVISION CHIEF MORGAN: The next city is City of
11 Manteca.

12 The staff team working with this jurisdiction is
13 Lisa Barry and Kristen Yee.

14 Since 2000, Manteca has experienced population
15 growth of over 30 percent. A huge boom. In 2005, the
16 diversion rate declined and disposal increased, which is
17 believed to be primarily due to increase in population
18 biosolids disposal, which I'll tell you a little bit
19 about, and increased self-haul of C&D materials.

20 The city is working to address these challenges.
21 In 2005, the San Joaquin Valley Air Pollution Control
22 District requested the city stop land application of
23 sludge. I like, the Board requested. Strongly requested.

24 The growth in residential development combined
25 with increased disposal of municipal sludge for Manteca's

1 wastewater treatment facility has made it difficult to
2 maintain the 50 percent diversion requirement. To address
3 some of this, finding an alternative for diverting this
4 material is going to be very challenging. But as an
5 option, in January 2008, the City began using ultra violet
6 light to de-water the sludge to source of solid waste. In
7 addition, the City is revising its C&D program to address
8 that waste stream as well. So they are making great
9 strides.

10 And I believe we have a representative.

11 MS. LESTRANGE: I have no comments.

12 CHAIRPERSON MULÉ: Thank you for being here
13 today.

14 DIVISION CHIEF MORGAN: Our next jurisdiction is
15 the City of Half Moon Bay.

16 And Rachelle Tarver and Kyle Pogue are the team
17 on this. You all know Kyle.

18 The City has implemented its core diversion
19 programs with the exception of biosolids diversion as
20 stated in its SB 1066 time extension. They have
21 implemented programs including residential curbside,
22 including green waste collection, commercial on-site
23 pickup, C&D ordinance program, and educational outreach.

24 The City, while they have not been successful in
25 diverting biosolids -- and we all know what a challenge

1 that material is, they're continuing to seek a solution.

2 And there is a representative here for the City of Half

3 Moon Bay if they want to say anything.

4 CHAIRPERSON MULÉ: Would you like to address the
5 Committee?

6 MR. MAO: No comment.

7 CHAIRPERSON MULÉ: Thank you for being here. I
8 have to ask you, Kyle, they're doing a good job?

9 MR. POGUE: Yes, they are. And I'm happy TO
10 announce they recently adopted their Recycled Content
11 Procurement Policy at their last city council meeting I
12 believe. So we were excited to see that.

13 CHAIRPERSON MULÉ: Good. Okay. Thank you.

14 DIVISION CHIEF MORGAN: The City of San Bruno,
15 this team is also Rachelle and Kyle.

16 This city is aggressively outreaching to
17 residents and businesses with new programs and extra
18 encouragement. The efforts are resulting in reduced
19 disposal we're seeing in 2007.

20 The City has implemented their programs including
21 residential curbside, commercial on-site pickup, adoption
22 of a C&D ordinance and implementation of that ordinance,
23 as well as expanding their educational outreach program.

24 And, Kyle, do we have a representative here?

25 MR. POGUE: Yes, we do. We have several

1 representatives. We have Jim Shannon, and also there is a
2 representative from the hauler here as well.

3 CHAIRPERSON MULÉ: Would either of you care to
4 address the Committee?

5 MR. SHANNON: No comment at this time.

6 CHAIRPERSON MULÉ: I think the hauler was before
7 us about six months ago talking about expanding this
8 program. I believe it was for San Bruno.

9 MR. POGUE: I'm not sure about that.

10 CHAIRPERSON MULÉ: Maybe it was San Carlos.

11 MR. POGUE: I do want to say that the
12 relationship has been a great working relationship when we
13 met with them. And they sound like they're working on
14 many great things into the future. So we're excited about
15 what they're doing in San Bruno.

16 CHAIRPERSON MULÉ: Thank you.

17 PROGRAM DIRECTOR LEVENSON: We have six
18 jurisdictions left. So we're making very good progress.

19 The next one is San Carlos and the County of San
20 Mateo. Kerry Wicker is our staff person on this way in
21 the back.

22 The San Carlos is a member of the South Bayside
23 Waste Management Authority and is working through the
24 Authority to implement a variety of its core programs. It
25 also had an SB 1066 time extension. So it's implemented

1 the programs in that extension, including commercial
2 on-site pickup programs, its own government recycling
3 program, food waste composting, construction and
4 demolition debris recycling, and rate incentives that
5 promote recycling and source reduction.

6 It's also laying the groundwork for expanded
7 diversion in a couple of different ways. In particular,
8 as a member of the Authority, its issued a Request for
9 Proposals for a new franchise agreement that will provide
10 more comprehensive recycling services. That would not
11 start until 2011. But that's a long process. So they are
12 on the path towards that.

13 And also the San Carlos Transfer Station has been
14 reconfigured to -- it's now known as the Shoreway
15 Environmental Center, and it's got a very significant
16 improvement in operational efficiency and its own
17 effectiveness in diverting materials.

18 CHAIRPERSON MULÉ: Howard, the question I had on
19 this one is because it's a member of the South Bayside
20 Waste Management Authority, was that recent or are they
21 not a JPA? I guess I was a little confused about the
22 relationship there.

23 MR. POGUE: We have representatives here from --
24 Clif Feldman with the South Bayside Waste Management
25 Authority as well as Brian Moura from the City, and a few

1 other representatives as well.

2 CHAIRPERSON MULÉ: Perhaps someone can explain
3 the relationship between the South Bayside Waste
4 Management Authority and why the jurisdiction was singled
5 out as opposed to the entire Waste Management Authority.

6 MR. MOURA: Commissioners, Brian Moura, Assistant
7 City Manager from San Carlos, and also Clif Feldman from
8 SBWMA.

9 San Carlos was the former home of the SBWMA prior
10 to the appointment of independent staff and the executive
11 director. And we're also home of the facility. So we've
12 been very active in the SBWMA and will certainly dedicate
13 part of the organization.

14 I don't know, Clif, if you want to add anything
15 to that.

16 MR. FELDMAN: Clif Feldman, Recycling Waste
17 Manager for the South Bayside Waste Management Authority.

18 I think, Rosalie, to answer your question, there
19 are two member agencies in our JPA and they're kind of on
20 the bubble. One is City of Foster City and then San
21 Carlos. Foster City just met the goal. I believe the
22 first time they reached 50 percent in 2006. And San
23 Carlos is very close to reaching that goal.

24 I think there are unique circumstances for those
25 two cities as to why they were on the bubble, whereas

1 others such as East Palo Alto is over 80 percent. And
2 Foster City is very heavy on multi-family, whereas San
3 Carlos is very heavy on commercial. And they are the host
4 facility all of our transfer station and MRF. So there is
5 a potential for some misallocation. And we've dug into
6 that in years past. And that's something as you know is a
7 very difficult rock to uncover what's underneath. So
8 perhaps that's a contributing factor.

9 CHAIRPERSON MULÉ: Thank you for clarifying that.

10 PROGRAM DIRECTOR LEVENSON: Next is City of
11 Guadelupe in Santa Barbara County.

12 And Frank Severson is right over.

13 This City had a SB 1066 time extension, and
14 they've gone ahead and implemented the programs that were
15 required with that. That includes free residential and
16 curb side collection of recyclables and green waste. And
17 they've recently approved an addendum to their franchise
18 agreement that includes a minimum 90-gallon recycling bin
19 with their service. They've instituted commercial and
20 multi-family recycling and improved their outreach
21 campaign. And that's resulted in increased participation
22 in the residential program from moving from less than 40
23 percent participation to over 90 percent participation.

24 The City's also working on increasing commercial
25 participation. It's looking at restructuring its rates.

1 And they recently approved an environmental purchasing
2 policy, which is a step in the right direction.

3 It's again one of the small cities. It's in the
4 middle of a huge very heavy ag area. And they've had -- I
5 have to disclose to you they've had a high staff turn over
6 in the past. And so have we. And the last year I think
7 we've made a stronger effort to try to assist the City,
8 and it's showing off in both their commitment and our
9 commitment.

10 CHAIRPERSON MULÉ: Thank you.

11 PROGRAM DIRECTOR LEVENSON: I'm not sure if
12 anyone is here.

13 UNIDENTIFIED SPEAKER: Available for questions.

14 CHAIRPERSON MULÉ: Thank you for making the trip
15 and being here.

16 PROGRAM DIRECTOR LEVENSON: Next is the Sierra
17 County Regional Agency.

18 Alan White is our staff person.

19 Once again, another very remote mountainous rural
20 county. Far removed from most recycling services. And so
21 it has a very low diversion rate.

22 It's tried to account for this by strategically
23 placing collection facilities and implementing focus
24 programs. For example, in July of this year, it
25 implemented a program for processing wood waste at the

1 transfer station and getting that material to the
2 co-generation plant in Loyalton.

3 In September, the Board of Supervisors approved a
4 solid waste building materials ordinance that establishes
5 a program with recycling mandates and disposal
6 restrictions and also looking at potentially revising gate
7 fees to change the economics of the situation. And again
8 this would be one of the counties that hopefully will be
9 able to take advantage if a material recovery facility is
10 successfully located in Plumas County.

11 CHAIRPERSON MULÉ: Okay. Is there a
12 representative from --

13 MS. RUST: Available for questions.

14 CHAIRPERSON MULÉ: Thank you for being here
15 today. And thank you for all your efforts. We appreciate
16 it.

17 PROGRAM DIRECTOR LEVENSON: Next is Modesto and
18 the County of Stanislaus.

19 Paul Brainin is our staff person responsible for
20 that.

21 The City is implementing various programs,
22 including curbside recycling, also food waste and green
23 waste pickup.

24 However, it did experience economic growth in
25 2006 and that caused an increase in disposal in that year.

1 In 2006 though, the City also laid the groundwork
2 for commercial food waste composting program which is
3 fairly unique. It began route collections in September
4 2007. And to date, it's collected 480 tons of food for
5 composting. And I have a waiting list of entities who
6 want to participate in that program. So we look forward
7 to increased success with that program.

8 CHAIRPERSON MULÉ: Is there a representative from
9 the city of --

10 MS. RODRIGUEZ: I don't have any comments.

11 CHAIRPERSON MULÉ: It's nice to see you. We were
12 out to visit your composting facility several years back.
13 Keep up the good work.

14 PROGRAM DIRECTOR LEVENSON: Next is Tehama County
15 Sanitary Landfill Regional Agency in Tehama County.

16 Tehama has implemented a number of significant
17 diversion programs. And these have grown and improved
18 since 2006, despite the challenging rural nature of this
19 county.

20 It did have an SB 1066 time extension. As part
21 that, they implemented a material recovery facility,
22 e-waste education and outreach, and enhanced school
23 education.

24 All of the requirements in the SB 1066 extension
25 have been implemented, except for a composting facility.

1 And that's been delayed due to permitting challenges with
2 the Regional Water Board. So that's something that's
3 being worked on but not something they have absolute
4 control over. In the interim, they're using an
5 out-of-county compost facility, but hopefully that will be
6 resolved in the near future.

7 CHAIRPERSON MULÉ: And we have a speaker slip
8 here, Kristina Miller.

9 PROGRAM DIRECTOR LEVENSON: I forgot Cindi
10 Rumenapp. Cindi is our staffer on this. Sorry, Cindi.

11 MS. MILLER: Good afternoon. My name is Kristina
12 Miller. I'm the Solid Waste Program Manager for Tehama
13 County. And I'm here to present on behalf of Tehama
14 County.

15 Tehama County is located about two hours north of
16 Sacramento. It has a population of about 62,000 people.
17 And I'm here to highlight some of our innovative programs
18 that we have in Tehama County.

19 We recently implemented blue roll-out cart
20 service in the more densely populated areas of our county
21 as well as in the city of Corning. So now in all of our
22 cities and the densely populated areas, we all have the
23 easier blue rollout cart service rather than the
24 inconvenient tubs.

25 We've also implemented the multi-family recycling

1 program in the city of Red Bluff. We received two grant
2 funds from the Department of Conservation recently to
3 develop multi-family recycling programs in the city of
4 Corning and also in the mobile home parks in the
5 unincorporated county.

6 As you might know, mobile home parks are actually
7 a significant part of our multi-family waste stream.

8 We're also going through a CEQA process with
9 large subdivision developers to incorporate recycling and
10 C&D diversion programs. We install the second sorting
11 line to sort all incoming self-haul loads in construction
12 and demolition materials.

13 We also implemented a C&D ordinance in the city
14 of Red Bluff. We were the first county to develop the
15 take-back program for fluorescents with PG&E. Also the
16 first county to develop a curbside alkaline battery
17 recycling program.

18 We also recently developed a medical waste sharps
19 collection program with 10 consolidation points throughout
20 the county.

21 We were also able to get the local hospital to
22 donate funds to purchase home collections containers for
23 diabetics and sharp users free of charge.

24 And we now have two permanent hazardous waste
25 facilities, one in the south county and one in the north

1 county, where we have received over 406,000 pounds of
2 hazardous waste in 2007-2008.

3 So as you can see, we have definitely put in a
4 good faith effort. We are a very innovative and
5 progressive county. And we're very proud of that. But
6 unfortunately, the numbers just don't pan out for us. I'm
7 sure you're aware the current calculation method can be
8 flawed, especially for rurals.

9 And so I wanted to thank you for your time.

10 CHAIRPERSON MULÉ: Thank you.

11 BOARD MEMBER BROWN: Sounds like you have really
12 gone above and beyond showing a good faith effort. Some
13 of those programs are really hard to implement. So I
14 applaud you for going after the hard to reach waste
15 streams, the sharps, the alkaline batteries. Because
16 those are the ones that are the most difficult to develop
17 programs for. So congratulations.

18 MS. MILLER: And we thank the Board for being
19 easy to work with.

20 DIVISION CHIEF MORGAN: What I really appreciated
21 is this biennial review covers both the source reduction
22 and recycling elements but also the household hazardous
23 waste programs. And staff did conduct a review of both of
24 those. This is a great example of those household
25 hazardous waste programs. It costs jurisdictions a lot of

1 money.

2 CHAIRPERSON MULÉ: What's nice is Tehama County
3 can be a model for other jurisdictions. So thank you for
4 all your efforts.

5 DIVISION CHIEF MORGAN: Last, but not least
6 today, City of Woodland.

7 Spencer Fine is our team member.

8 The City has experienced an increase in disposal,
9 as you can see a drop in their diversion rate, from 2005
10 to 2006. But let me point out from '05 to '06 it has been
11 going up. This has been due to the City's aggressive
12 efforts in public education and outreach and the
13 implementation of their C&D ordinance.

14 The City spent many hours researching other
15 jurisdiction's construction and demolition programs and
16 ordinances. They held public works shops, and attended
17 meetings, and corresponded with our staff about the
18 development of this new program. They really went above
19 and beyond trying to develop a good model program.

20 Our staff is recommending a good faith effort for
21 this jurisdiction because of the additional programs they
22 implemented under their 1066 time extension, including an
23 expanding the residential curbside program, expanding
24 their commercial on-site pickup, further developing school
25 recycling programs, and their own government recycling

1 program, C&D construction and demolition recycling
2 ordinance and program, and further efforts with regards to
3 outreach.

4 And for all of these program expansions and
5 enhancements, we're recommending good faith effort for
6 this jurisdiction. And we do have a representative here
7 today I believe.

8 MS. CHILDERS: We're here if you have any
9 questions for us.

10 CHAIRPERSON MULÉ: Thank you for being here
11 today.

12 And again, with a lot of these jurisdictions,
13 your challenge a few years back was the C&D from all the
14 growth that occurred.

15 So I think as Chair Brown mentioned before, you
16 know, I think now is the time for you to start planning
17 for the next construction boom. Because while we all sit
18 here and think it's not going to happen, it will happen
19 eventually. We don't know when. We do think that now is
20 a good time for you to really started planning that and
21 put these programs in place.

22 Thank you for being here.

23 Thank you, Spencer.

24 PROGRAM DIRECTOR LEVENSON: That concludes
25 today's presentations. I think just to clarify for the

1 jurisdictions, I haven't heard any concerns from the
2 Committee about removing any from our good faith effort
3 recommendations, so we will move that to Thursday for the
4 formal recommendation.

5 But these are all -- really I'm asking a
6 question. As far as you're concerned, these are all
7 available for good faith effort recommendation?

8 CHAIRPERSON MULÉ: Yes. I think we agree.

9 BOARD MEMBER BROWN: Concur.

10 CHAIRPERSON MULÉ: Any other questions or
11 comments? Public comment?

12 We will adjourn this meeting. Thank you all.

13 (Thereupon the California Integrated Waste
14 Management Permitting and Enforcement
15 Committee adjourned at 12:37 p.m.)

16

17

18

19

20

21

22

23

24

25

1 CERTIFICATE OF REPORTER

2 I, TIFFANY C. KRAFT, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing hearing was reported in shorthand by me,
7 Tiffany C. Kraft, a Certified Shorthand Reporter of the
8 State of California, and thereafter transcribed into
9 typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said hearing nor in any
12 way interested in the outcome of said hearing.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 11th day December , 2008.

15

16

17

18

19

20

21

22 TIFFANY C. KRAFT, CSR, RPR

23 Certified Shorthand Reporter

24 License No. 12277

25